



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, TUESDAY, OCTOBER 29, 2019

No. 171

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, from the rising of the sun until its setting, You remain the same. We find solace in your changeless faithfulness. Your mercies sustain us each hour.

Lord, do not keep silent as our lawmakers grapple with the great issues of our time. Reveal Your purposes to them, guiding them on the paths of courage and obedience. Lord, remind them that You appointed them to their work, and they are accountable to You. May they not forget that You are the Supreme Judge of the Universe, in whose presence humanity must one day stand.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak as in morning business for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

### PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Madam President, as Democrats in the House of Representatives work to pass Speaker PELOSI's prescription drug bill, I remind my colleagues that for any bill to become law, it must be bipartisan and President Trump must be able to sign it.

Unlike current House efforts, the Grassley-Wyden Prescription Drug Pricing Reduction Act fits the bill. It is bipartisan, and President Trump has endorsed it. My Republican colleagues in the House recently pointed to it—in other words, the Grassley-Wyden bill—during an Energy and Commerce Committee hearing as the only path forward to lower prescription drug prices. I welcome this support from Republicans in the House of Representatives. I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### APPROPRIATIONS

Mr. MCCONNELL. Madam President, this week will provide an opportunity for our Democratic colleagues to prove that their longstanding goal of impeaching the President is not—not getting in the way of their ability to legislate. The Speaker of the House and the Democratic leader have taken pains to insist that their party's impeachment obsession will not block important business for the American people.

Well, we are going to find out. As soon as the Senate completes the domestic funding legislation we are currently considering, we will turn back toward national defense and give Senate Democrats another chance to advance the funding for our Armed Forces, which they chose to filibuster just last month.

In other words, this week will bring a litmus test. Are Washington Democrats so consumed by impeachment that they cannot even fund our men and women in uniform? Do our service-members really need to be pawns in the Democrats' fight with the White House?

It is hard to imagine a more basic legislative responsibility than funding

the Department of Defense. We need to fund the tools and training that our men and women in uniform need to carry out their missions. We need to give our military commanders the resources to keep pace with major competitors like China, which has nearly doubled its military spending over the past decade.

In recent days, our Democratic colleagues have been publicly railing against the administration's approach to Syria and the Middle East, without, I would note, offering much of a strategy of their own. But if they vote to block defense funding later this week, they will literally be obstructing the very funding to carry out the missions they say are so important.

The last few days have shown us especially clearly that American forces remain in harm's way every day, and their missions do not pause just because some politicians don't find it convenient to fund them. We owe the Pentagon the budgetary certainty it needs to maintain the readiness of our military forces and to invest in the capabilities needed to sustain our military edge into the future.

We also need to be good, reliable partners to our friends and allies.

Get this. This appropriations bill would fund \$250 million in military assistance for Ukraine under the Ukraine Security Assistance Initiative. If that sounds familiar, that would be the exact same program that Democrats are currently trying to impeach the President for allegedly slow-walking.

So welcome to Washington, where Democrats try to impeach President Trump for supposedly slow-walking aid for Ukraine and simultaneously filibuster the funding for the exact same Ukraine program in the Senate. Welcome to Washington.

I think it is safe to say that would elevate irony to a whole new art form. I hope it doesn't come to that. I hope, instead, that our colleagues on the other side of the aisle will land on the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6205

same side when it comes to support for the men and women who keep us safe and for our vulnerable international partners who look to us for leadership.

### HEALTHCARE

Mr. MCCONNELL. Madam President, on another matter, this week, we will vote on another effort by our Democratic colleagues to undo successful Trump administration policy. In recent days, our colleagues across the aisle have forced two failed votes on similar resolutions. One would have cut taxes for the wealthiest residents in blue States at the expense of working families everywhere else. The other would have resurrected an Obama-era proposal to bury American energy under red tape.

Both of those efforts failed, but our Democratic colleagues are back at it—back at it—with another bad policy. This time, they would like to reverse Trump administration guidance that has reduced healthcare premiums for American families and reaffirmed protections for those with preexisting conditions.

Section 1332 of ObamaCare gives States the opportunity to escape some of that law's worst burdens. States have the opportunity to apply for waivers that allow for more types of health insurance plans and more options for consumers.

More than a dozen States have already had these waivers approved, not just red States. Democratic Governors in places like Colorado, Delaware, and Rhode Island have applied for and received these waivers. Where Governors of both parties are embracing this opportunity, good things are happening. According to one analysis, in the seven States where new waivers were implemented during the Trump administration, it seems that premiums declined—declined—by 7.5 percent.

The Trump administration guidance continues this success and gives States even more of what they asked for—even more flexibility to escape ObamaCare's burdens and more choices for consumers and lower premiums. But, apparently, our Democratic colleagues are not terribly fond of letting States shake off the unhelpful strictures of ObamaCare. Perhaps, it makes their signature law look bad that Governors of both parties are so eager to escape it.

That can't be their public argument. In their effort to reduce this flexibility, some Democrats are rehashing tired, old claims about a conspiracy to hurt Americans with preexisting conditions. Republicans have been clear, and we have been consistent. We support protections for Americans with preexisting conditions.

The CMS Administrator, Seema Verma, has specifically stated that "a section 1332 waiver cannot undermine coverage for people with pre-existing conditions." That is the head of CMS.

In fact, it is this Trump administration's policy that will help American

families, including those with pre-existing conditions, by helping to bring down the soaring premiums and restore the dwindling options that ObamaCare's failures have brought about.

I urge the Senate to reject this misguided resolution. We don't need healthcare policy from the supporters of "Medicare for None," Democrats' grand scheme to take away the health insurance plans of 180 million Americans and replace it with a one-size-fits-all government plan. Americans deserve more say, not less.

### HEMP

Mr. MCCONNELL. Madam President, on one final matter, when I joined President Trump last year as he signed the farm bill, we marked a new chapter for an historic American crop. In a victory for growers, processors, and manufacturers across the country, especially in my home State of Kentucky, my initiative for full hemp legalization became law.

This morning, the U.S. Department of Agriculture plans to take the important next step. Secretary Perdue will release a new USDA regulation to implement my initiative and move hemp closer to being treated just like every other commodity. This new policy will help farmers around the country continue pioneering this crop into the 21st century.

I am proud to say that Kentucky is prepared to take the lead. For generations, our growers and producers have made the Bluegrass State an agricultural powerhouse, well-positioned at the forefront of hemp's resurgence. Following the downturn in tobacco, it was my tobacco buyout legislation that helped farmers transition toward new opportunities, and a growing number are looking to this past crop—one grown by Washington, Jefferson, and Henry Clay—as they plan for the future.

As the buyout payments came to an end, I secured the creation of hemp pilot programs in the 2014 farm bill, empowering farmers and researchers to begin a multiyear experiment with hemp's capabilities.

Thanks to leaders like Agriculture Commissioner Ryan Quarles and his predecessor, now-Congressman JAMES COMER, Kentucky was leading the charge. The results were clear. The pilot program was working. So we knew the 2018 farm bill had to take the next step.

I am grateful to Agriculture Committee Chairman PAT ROBERTS, who included my hemp initiative in the bill that is now law. I would also like to thank the many Members on both sides of the aisle, including Senator RON WYDEN, who have helped in this effort as well.

My hemp provisions in the farm bill directed USDA to craft a new regulatory framework so hemp could be cultivated nationwide, with each State

given the opportunity to develop its own plan for hemp oversight.

I am grateful that Secretary Perdue accepted my invitation for a Kentucky hemp tour so he could see our progress up close and learn from Kentucky hemp farmers and regulators as USDA developed its policies.

This year alone, hemp is growing on more than 26,000 acres in Kentucky, across 101 of our 120 counties. It supports hundreds of jobs and tens of millions in sales.

I impressed upon USDA the need to finalize this new framework before the 2020 growing season. I would like to thank Secretary Perdue and the USDA for fulfilling this commitment with the announcement we are expecting later this morning. I look forward to reviewing USDA's guidelines and hearing from hemp stakeholders around Kentucky.

Our work to support the future of hemp is hardly over. There are ongoing conversations with the FDA on CBD products and ongoing work to help growers and retailers to access credit and financial products. There will inevitably be ups and downs as this new industry develops, but today's announcement is another crucial step. It is a privilege for me to stand with Kentucky farmers every step of the way. Together, we will continue charting hemp's course well into the future.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3055, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Pending:

Shelby amendment No. 948, in the nature of a substitute.

McConnell (for Shelby) amendment No. 950, to make a technical correction.

The PRESIDING OFFICER. The Senator from Illinois.

## VENEZUELA

Mr. DURBIN. Madam President, I want to comment on an incident that occurred late last week on the floor of the Senate regarding temporary protected status, known as TPS, for people from the country of Venezuela.

TPS can be provided by the President to nationals of a country when that country is experiencing violence or a catastrophe that makes returning to the country unsafe. This is a protection offered by America under many different administrations to help those who might be in the United States when a calamity occurs in their home countries. It has often been granted for countries suffering outbreaks of war or natural disaster, which leads me to the issue of Venezuela.

Currently, the United States is working with regional partners to foster an end to a disastrous dictatorial regime still claiming power in Venezuela.

I was there last year, and I saw what was heartbreaking, considering that this was once a proud Latin American democracy.

People are literally starving in Venezuela. They faint in the workplace from lack of nutrition. Hospitals don't have electric power or the most basic medicines. I visited a children's hospital in Caracas, and they told me they didn't have any antibiotics or the basic cancer drugs necessary for the children who came to their hospital.

Millions are fleeing Venezuela as refugees into neighboring countries. There is brutal political repression. Opposing the dictator, Maduro, is a virtual guarantee of house arrest or worse. Staggering government corruption and a systematic dismantling of that country's democracy are taking place on a regular basis and resulted in election results which were incredible and not believed by anyone in the region when they were announced a few months back.

I have been supportive of this administration's efforts to work with other nations to support the interim Presidency of Juan Guaido and provide assistance to millions of fleeing Venezuelans.

While I fear this issue has escaped President Trump's attention, one simple step he can take is to grant temporary protected status to Venezuelans currently in the United States. Some are here as students and others are here on work visas, but they are on temporary status. What I am asking the President to do is to give them temporary protected status so they will not have to return to Venezuela while the danger still lurks.

Despite repeated requests by myself and many of my colleagues on both sides of the aisle, President Trump has repeatedly refused. He goes to audiences in Florida and talks about confronting the Venezuelan dictatorship, then he turns around and refuses to give protection to the Venezuelans in the United States who need this protection.

Ironically, while the President's Department of State has issued travel warnings advising Americans not to visit Venezuela because of the danger, this President still will not protect Venezuelans within the United States who are afraid to return.

I have met many such Venezuelans in my home State of Illinois, and I can tell you they are desperately worried about returning to the chaos, violence, and hopelessness of the current Venezuela.

Since the White House refuses to act, the House of Representatives passed a bipartisan bill granting temporary protected status to Venezuelans this last July by a 272-to-158 margin. Senator BOB MENENDEZ of New Jersey, MARCO RUBIO of Florida, and I have introduced a similar Senate bill, but the majority leader, Senator MCCONNELL, refuses to bring up any bill that might not meet the approval of President Donald Trump, even a bill offered by leaders in his own political party.

Senator MENENDEZ and I have tried to call up the House bill for passage only to face objection repeatedly from Senate Republicans.

Last week, to deflect blame from President Trump and the Senate Republicans who object to our bill, the junior Senator from Florida came to the floor with his own approach. He blocked the bipartisan House Venezuela TPS bill from passing and offered a dubious amendment, undermining TPS for others as the price for helping the Venezuelans. In other words, he said: Well, perhaps we can help Venezuelans as long as it is at the expense of others who are in similar status from other countries.

His proposal would in fact significantly weaken the entire temporary protected status. For example, his proposal would require congressional approval of any extension of TPS beyond the original period, and it would limit such extension to an arbitrary 18-month period.

Ultimately, the proposal from the junior Senator from Florida is using the plight of Venezuelans to basically gut the existing Temporary Protected Status Program.

We have seen folks on the other side of the aisle resort to this when it came to DACA—Republicans in the Senate trying to use a vulnerable population, such as the young people who were raised in the United States and want a chance to work their way to citizenship, as bargaining chips for an anti-immigrant agenda. Once again, these Members are simply refusing to stand up to the President when he fails on these issues.

The solution, indeed, is simple. This administration should grant temporary protected status on its own to the Venezuelans, but it refuses. Senate Republicans could pass the bipartisan House bill to grant Venezuelans temporary protected status, but the Senate Republicans refuse.

Let everyone be clear where the real failure to help Venezuelans actually rests.

## ORDER OF BUSINESS

Madam President, at the request of the Republicans on the Senate side, later today, I will be making a unanimous consent request relative to the healthcare issue, which was raised by Senator MCCONNELL earlier. I am told they are not quite ready this morning, so I am going to defer that offer until later in the day when they will be ready, and we can have a colloquy on the floor of the U.S. Senate.

I yield the floor.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

## APPROPRIATIONS

Mr. SCHUMER. Madam President, even as the Senate works through a grouping of appropriations bills on the floor this week, the Republican leader has been falsely accusing Democrats of delaying the overall process. He just seems to be in a box and pulls things out of thin air.

The crux of the issue, as everybody knows, is that the Republican leadership in the Senate and on the Appropriations Committee has refused to sit down and negotiate with Democrats on bipartisan allocations to the various agencies. This has always been how we have done the appropriations bill when we have succeeded—Democrats and Republicans sitting down together and negotiating the 302(a)s and (b)s, but, here, the Republicans, without consultation of the Democrats, just unilaterally proposed taking over \$12 billion from critical health programs and military families to pay for the President's border wall—a wall President Trump promised Mexico would pay for.

Democrats, of course, are not going to proceed to a defense bill that steals from our troops to pay for a border wall the American people don't want and aren't supposed to pay for, but in this Republican hall of mirrors, that means Democrats are "delaying a pay raise for our troops," as the leader charged yesterday, even though that is not true, and I believe he knows very well that the pay raise is strongly bipartisan.

The truth is simple. As the leader knows, the annual pay raise will go into effect regardless of whether we pass Defense appropriations or the NDAA.

In fact, the Department of Defense just confirmed to the Senate Democratic appropriators yesterday that the pay raise for our troops will take effect on January 1, without requiring any further legislation. The troops and their families will see a 3.1-percent pay raise in January. I know the President ties the majority leader in a box, in a knot, and he sort of flails around and doesn't know how to get out of it because he is afraid to tell President Trump what he is doing will not pass, but instead he blames Democrats—that

seems to be his wont these days—but it is just totally false. It is not according to just me but according to the Department of Defense.

He even went a step further. In the Republican hall of mirrors, Democrats might even be “delaying military assistance for Ukraine.” Can you believe the majority leader would say something like this? The comments are laughable. It was the Trump administration that delayed hundreds of millions of dollars’ worth of already appropriated, urgently needed military assistance to Ukraine earlier this year—a fact now being investigated by the House impeachment inquiry.

The fact is, the only purported delay in the appropriations process is Republicans insisting on taking money from our military to spend on a border wall—something Democrats will not countenance. That is it.

If the Republican appropriators dropped that request and sat down with Democrats, the negotiated bipartisan way forward—which is the only way appropriations can proceed—I am sure we could line up the rest of the bills for the year. So let’s cut the nonsense.

Leader MCCONNELL, have the honor and decency and courage to tell President Trump that he is going to bolix up the whole process again, just as he did the last time. We can roll up our sleeves and get to work if he would do just that.

We are already working on the non-controversial bills, and we could do it for the rest, if and when our Republican friends decide to meet us halfway.

#### HEALTHCARE

Mr. President, tomorrow, Senate Democrats will use a provision of the Congressional Review Act to force a vote on one of the most crucial policy questions we have faced all session—the future of healthcare protections for Americans with preexisting conditions. The Trump administration has tried several different ways to undermine these protections and sabotage our healthcare system.

One of the most damaging efforts is this rule that gives the States the green light to use taxpayer dollars to push junk health insurance plans. These plans are hardly worth the paper they are printed on. Many don’t cover maternity care, prescription drugs, mental health, or preventive services. Many could offer insurance companies a way around the requirement to pay for your treatment if you develop a preexisting condition.

Just imagine signing up for one of these plans and then you discover that your child’s heart condition or cancer or lifesaving prescriptions drugs were not covered when you need it most? That shouldn’t be allowed to happen. Republicans and this administration are trying to allow it to happen.

As you can imagine, many insurance companies love the idea. Data from the National Association of Insurance Commissioners shows that the top three companies that issue these junk

plans spend barely 40 percent of premiums on healthcare—just 40 percent. Just think about that. Republicans want to use taxpayer dollars to fund these junk plans. Is that money going toward paying for people’s healthcare? No. It is going to pad insurance company profits.

Tomorrow, the Senate will face a simple choice on whether or not to defend protections for Americans with preexisting conditions. My Republican friends can either stand with the Trump administration and use taxpayer dollars to pad profits for insurance companies or stand up for American families who struggle to afford healthcare.

#### CLIMATE CHANGE

Mr. President, finally, on climate, last week, I announced a bold new plan to rapidly phase out gas-powered vehicles for clean vehicles. We need a plan of this scale and ambition to reduce one of the largest drivers of carbon emissions—transportation—while at the same time creating tens of thousands of new jobs and reinvigorating American auto manufacturing.

Predictably, the deep-pocketed special interests in Big Oil and Gas are already lining up to oppose this plan. Over the years, Big Oil and Gas have spent millions of dollars in lobbying to kill climate-friendly legislation and protect their bottom lines. A headline ran yesterday announcing: “Big Oil gears up to fight Schumer electric vehicle plan.”

Well, I have three words for Big Oil: Bring it on. Bring it on, because this fight is too important. Climate change is happening right now, and it is resulting in more severe weather, sea-level rise, and drastic changes to our agriculture.

As we speak, California is suffering from some of the worst wildfires it has ever seen. Scientists tell us that if we do not take drastic action to alter our current path, we will not be able to avoid the most damaging consequences of climate change.

Bring it on, because this plan is supported not only by the environmental community and climate action groups but by labor unions like the UAW, the IBEW, the AFL-CIO, and by large automakers like Ford and GM. They all know that the future is moving toward clean cars, and we ought to get there before China and create tens of thousands of new good-paying jobs right here in the United States.

Bring it on. If the special interests of Big Oil and Gas want to oppose thousands of good-paying jobs for American workers, if they want to oppose America’s leading the world in the industries of the future, if they want to oppose protecting our planet for our children and grandchildren, then, they are on the wrong side of history, and we will fight them every single step of the way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

H.R. 3055

Ms. COLLINS. Madam President, I am delighted that the Senate is taking up four very important appropriations bills, one of them I discussed at length last week; that is, the Transportation-HUD appropriations bill, which I authored along with my ranking member, Senator JACK REED of Rhode Island. In forging that bill, we gathered information from 75 of our fellow Senators, who had 950 requests. We went through each of the requests very carefully, and we have built a bill that is truly bipartisan, that reflects the priorities of this body, and that I trust will be approved as part of this package later this week.

I also want to take the opportunity today, as I am managing the four bills in the unavoidable absence of the full committee chairman, Senator SHELBY, to talk about some of the other appropriations bills that have been brought before us.

As the Presiding Officer is well aware, the Appropriations Committee is a committee that makes a real effort to work together to put aside petty partisanship and, instead, listen to one another and work for the common good. We make an extraordinary effort to find common ground. How I wish that could be done throughout Washington today. But the Appropriations Committee remains a bastion of common sense, of collegiality, and of working together to seek common ground. That is why we have had such success in reporting so many of the appropriations bills, and I am very proud that the T-HUD bill, as we call the transportation and housing bill, was one of those that was reported unanimously by a vote of 31 to 0.

For the next few moments, I would like to talk about another bill that had unanimous support on the committee, and that is the CJS appropriations bill—Commerce, Justice, and Science.

Let me begin by acknowledging the hard work of the chairman, Senator MORAN, and the ranking member, Senator SHAHEEN, for their work in balancing the many priorities that are included in this bill. Once again, we saw the chairman and the ranking member working together as a team in a bipartisan—indeed, a nonpartisan—way in order to find common ground.

I would like to comment on a few of the provisions of the bill that I think are particularly important. First, I am encouraged that the bill continues to provide strong support for the National Sea Grant College Program, despite the administration’s desire to eliminate this program. The committee actually provided an increase of \$7 million over last year’s funding level. The University of Maine Sea Grant Program is a

national leader in ocean research and, as you know, is very important to the Presiding Officer from Florida as well.

(Mr. SCOTT of Florida assumed the Chair.)

Within the sea grant program, there is \$2 million for critical lobster research, building on the \$2 million that was included last year. The sea grant program recently announced seven research awards supported by this funding, four of which were awarded to Maine entities in recognition of their extraordinary expertise and research. These investments will help us to better understand how the lobster stock is reacting to changing environmental conditions and ensure that this iconic industry—indeed, one of the very symbols of the State of Maine—continues to thrive.

The problem is that we are seeing increasing warming of the Gulf of Maine. In fact, it is warming the second fastest of any body of water in the world. That has brought new kinds of sea life; for example, there is an invasive green crab that has never existed in Maine waters. So we are watching the impact very carefully, particularly on our lobster industry.

I am also glad that the bill prioritizes the development of technologies to better track the right whale population. The number of right whales is problematic. While it is not as low as it was a few years ago, it is still troublesome that the population continues to be under stress.

NOAA Fisheries has targeted the Maine lobster industry with potentially very onerous right whale regulations, despite the government's inability to adequately monitor the movement of these right whales.

We must better understand where the right whales are and where they are not. This, too, is important in terms of our warming waters. The major food supply for the right whales has moved to the north toward Canada, and that is why the entanglements we have seen—which we all deplore—have involved Canadian gear. I think that is very important to recognize.

There have also been some Canadian ship strikes. Our lobster men and women have been such careful stewards of the resource, and that has been true for generations. Lobstering is often a family business, passed on from generation to generation. The lobster men and women of Maine care deeply about our lobster stocks and about ensuring that lobsters are there for generations to come. They have been extraordinary conservationists. They invented the V-notching of lobsters, the sizing to make sure that lobsters that are big and breeders are tossed overboard or those that are too small are returned to the water. Unfortunately, our Canadian counterparts often do not follow those same cooperative conservation measures, and there is an area off the coast of Maine that is known as the gray zone, where it is in dispute whose waters—whether it is the United States or Canada's—the gray zone is.

We will find American and Canadian lobstermen, both in that area or close by, with our lobster men and women following strict conservation methods, such as throwing back the lobsters that are too small or the big breeder lobsters, only to see their Canadian counterparts keep those lobsters and, in some cases, they are undoubtedly the very lobsters that have been thrown back into the sea by our lobster men and women. So those conflicting conservation measures between American and Canadian fisheries have caused Mainers to grow increasingly concerned that their Canadian counterparts are threatening the sustainability of critical fishing stocks, as well as that fragile right whale population.

The bill that has been reported by the Appropriations Committee encourages NOAA to work cooperatively with State, national, and Canadian fishery officials on these important issues.

I also want to express my thanks to the subcommittee for rejecting the President's proposed elimination of the Economic Development Administration, known as the EDA, and instead providing a reasonable increase. The investments made through the EDA provide vital financial support for rural Mainers to boost economic growth and create more jobs. It has been an essential partner with States, with local governments, and with the private sector in boosting areas of Maine's economy.

The bill also focuses attention on an issue that I know the Presiding Officer is very aware of because of his membership on the Aging Committee, which I am privileged to chair, and that is the serious problem of financial fraud directed at our seniors. The GAO, a few years ago, estimated that our seniors lose nearly \$3 billion a year to financial fraud. I think that is just the tip of the iceberg because many seniors are too embarrassed to report the fraud they have suffered. It is important. It is vital that the Justice Department continue to fight financial fraud.

I am delighted that the former Attorney General, Jeff Sessions, implemented my recommendation that every U.S. attorney's office should have designated a financial fraud attorney who can bring cases and help to protect our seniors. We need to aggressively prosecute illegal robocallers and increase efforts to collect unpaid fines and penalties imposed on them by Federal agencies. It is only our national efforts that can go after a call center that is located in India, for example, as some of them have been. While to the Justice Department, the individual amounts may seem small, they are devastating to a senior who has worked hard to save money for their retirement years. In addition, when you aggregate all those losses, they result in literally billions of dollars.

The bill also provides increased investments to law enforcement at all levels—partnerships that are especially

critical to preventing the heroin and opioid epidemic that plagues my State of Maine and many others. Naming just a few, the Comprehensive Opioid Abuse Program and the Drug and Veterans Treatment Courts are essential to the multifaceted approach it will take to stem this epidemic.

I appreciate that the subcommittee has once again rejected cuts to the COPS Anti-Heroin Task Force, a program that has helped Maine's Drug Enforcement Agency target illegal opioid sales.

I want to finally highlight the increased funding for the Byrne-JAG and COPS hiring programs, and for the Regional Information Sharing Systems known as RISS. Many of Maine sheriffs have come and talked to me about the importance of the RISS Program. It supports a cooperative effort of information sharing to fight crimes at all levels and has been particularly useful to Maine's rural counties. There are also important investments supporting the FIRST STEP Act, which we passed late last year. It will help implement the goals of the new law, particularly with respect to rehabilitative programs at the Bureau of Prisons. We need to make sure those who are being released from our jails and prisons have the skills and tools they need to pursue a lawful life and not resort to their previous habits that landed them in jail. That is why the educational and job training programs we have in Maine and elsewhere are so important and will be expanded by this bill.

Those are just a few of the terrific provisions that are in the CJS appropriations bill. Again, I commend the chairman, the ranking member, and the entire Appropriations Committee for their hard work.

The PRESIDING OFFICER. I recognize the majority whip.

REMEMBERING KAY HAGAN

Mr. THUNE. Mr. President, before I begin, I want to say I was sad to hear of the death of former Senator Kay Hagan yesterday. Kay represented the State of North Carolina in the Senate.

She was a very dedicated public servant. I think she was someone whom all of us who were here at the time enjoyed working with and always was a very bright presence. As I said, she was tremendously dedicated to the people she represented and the issues she cared so deeply about. Our thoughts and prayers are with her and her family today. I ask all Members to continue to lift her family up.

H.R. 3055

Mr. President, I also congratulate the Senator from Maine on the work she is doing on the appropriations process as it is moving forward. She chairs a very important subcommittee on the Appropriations Committee and also is involved in so many other issues.

One thing she was speaking about that I certainly wanted to mention was the work she does to protect seniors across this country. It is a very vulnerable population—vulnerable to the

fraud attempts made by bad actors out there. She mentioned robocalls. She has been a leader on the legislation to try and ban the types of robocalls that prey on our senior citizens and lead to all that fraud that happens—the billions of dollars she referenced every single year. It is important because there are so many perpetrators of schemes out there that are designed to prey on and take advantage of those populations in our country, particularly our elderly who are susceptible to that. I thank her for her leadership on that, as well as many other issues that are involved in the appropriations bill she mentioned earlier.

#### HEALTH INSURANCE PLANS

Mr. President, later this week, we are going to vote on a Democratic resolution to repeal guidance the President issued to give States more flexibility to design insurance plans that meet the needs of their residents. Democrats have tried to portray this resolution as a move to protect people with preexisting conditions. That is just a smokescreen. Democrats know very well that Republicans are committed to protecting those with preexisting conditions.

In reality, this is just another political messaging bill. It is also another attempt by Democrats to maximize Washington control of American's healthcare. In keeping with their push toward socialism, Democrats want to make very sure the States don't have the chance to escape from any of ObamaCare's bureaucracy.

Let me back up a minute and talk about the waiver and guidance from the President the Democrats are attacking. Section 1332 of the Affordable Care Act—the law the Democrats enacted on a completely partisan basis—allows States to apply for waivers from certain ObamaCare requirements. The requirements that can and cannot be waived are the same today as they were the day ObamaCare passed. Let me repeat that. The ObamaCare requirements that can or cannot be waived are the same today as they were the day ObamaCare passed.

The 2018 guidance from the White House did not change anything about what requirements can and cannot be waived under section 1332. Let me be very clear, 1332 waivers do not allow States to waive ObamaCare's preexisting condition protections; they do not allow health plans to utilize preexisting condition coverage exclusions; they do not allow health plans to refuse coverage for people with preexisting conditions; and they do not allow plans to charge individuals more based on a preexisting health condition.

So what do 1332 waivers do? The waivers give States the opportunity to take action to stabilize insurance markets and try out new ways of providing coverage to individuals who might not otherwise be able to afford insurance. My colleagues across the aisle would have the American public believe these

waivers will “allow States to greenlight substandard, junk insurance plans.” Well, let me remind my colleagues that these plans that they deride as “junk plans” are the very same short-term, limited-duration plans that were permitted in 7 out of the 8 years of the Obama administration.

Another refrain that we will hear from my Democratic colleagues is that the administration's guidance will permit States to waive certain health benefits, or what we call EHBs. I remind them that the Affordable Care Act itself permits the waiving of EHBs by States. The Trump administration guidance does not change this. Again, while the Democrats would have people believe the Republicans are destroying essential health benefits, States can already choose to waive them but, to date, have not.

Most of the States that have applied for waivers have wanted to use them for reinsurance programs in order to drive down premiums. Again, waivers give States some relief from ObamaCare's one-size-fits-all requirements, which allows them to try out new ways to drive down prices and help individuals afford care. It is about choice. It is about empowering Americans to decide what type of coverage meets their needs.

We might not be having this conversation today if ObamaCare had lived up to the rosy promises that were made when it was passed. Yet I don't have to tell anyone that it didn't come anywhere close to living up to those promises. ObamaCare was supposed to give Americans without health insurance access to affordable care while it preserved the health insurance of the millions of Americans who were satisfied with the plans they already had. As everyone knows, what actually happened was quite different.

Millions of Americans lost their plans. Health insurance premiums went up, not down. Also, premiums and out-of-pocket costs on the exchanges were unaffordable for many people from the very first day. The average monthly premium for a family plan on the exchanges has increased by \$742 over the past 4 years. That is close to the average mortgage payment in my home State of South Dakota. So it is not surprising that States would be looking for ways to help families afford care through these 1332 waivers.

Waivers are, in fact, helping to lower premiums. Seven States that received waivers saw the average premiums for a benchmark silver plan drop by 7½ percent from 2018 to 2019. States are using these 1332 waivers to make healthcare more affordable and ObamaCare premiums less burdensome. They are not using the waivers to do anything to undermine protections for people with preexisting conditions, which is something, as I said earlier, they cannot legally do anyway.

It is worth noting that more than one State with a Democratic Governor—not a Republican Governor but a

Democratic Governor—has applied for a 1332 waiver this year. So are Democratic Senators here suggesting that these Governors want to undermine the protections for people with preexisting conditions? I don't think so.

Numerous Americans are struggling to afford their ObamaCare premiums, and many others have been priced out of the ObamaCare market altogether. It only makes sense to give States as much flexibility as possible to address ObamaCare's problems and expand insurance access for their residents. Yet the Democrats are so set on maximizing Washington's control of American's healthcare that they are determined to oppose any ObamaCare flexibility even if that flexibility results in there being lower premiums for the American people.

Today's resolution is just another example of the Democrats' prioritizing their political ideology over the welfare of the American people, and I hope it will be defeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate my colleague from South Dakota's talking about this issue before us this week, which is these 1332 waivers, and he is absolutely right. Millions of Americans are getting less expensive healthcare. Isn't that the whole idea here, that healthcare needs to be affordable and that we need to have good, quality healthcare?

There is nothing in these waivers—by the way, many of which are going to States that have Democratic Governors—that prohibits people from getting coverage for preexisting conditions. In fact, that is the law of the land, so that these 1332 waivers cannot take away people's rights to healthcare should they have preexisting conditions.

I think this is the sort of thing we ought to be supporting in this Chamber, there being more affordable healthcare and healthcare for people who otherwise couldn't afford it.

#### APPROPRIATIONS

Mr. President, my colleague from Maine, Senator COLLINS, is on the floor. We discussed earlier that we are actually legislating today. I think that it is great because we are passing spending bills. The Senate will pass four different spending bills, and she will manage all four of them. These are bipartisan bills that will end up getting passed here in this Chamber this week that will then go over to the House where they will be conferenced with the five bills they have passed. The bills aren't that far apart in terms of the total amount of money each bill has in the so-called 302(b) category, but there are some differences. We will work those out, and we will, hopefully, get those to the President for his signature. That is how this place should operate.

H.R. 3055

Mr. President, Senator COLLINS' bill is the transportation bill. This one is

particularly important to my State of Ohio and to other States around the country that are desperate for some more funding for infrastructure.

Specifically, in her transportation bill, she deals with these bridges that need to be replaced that are obsolete, and many are dangerous. We have one in Ohio, called the Brent Spence Bridge, which is not only obsolete but has no shoulder anymore because it keeps having to be widened to accommodate the traffic. So it makes it very dangerous. We have been trying for years to get the funding for that. This bill has some funding that will help with regard to these kinds of bridges that have heavy traffic but are unsafe.

This is what we ought to be doing around here. Let's get this done. It is infrastructure. It is something we should be able to agree on as Republicans and Democrats because it is good for the people we represent. So I thank the Senator from Maine for her work on that.

#### WORKFORCE DEVELOPMENT

Mr. President, I am here to talk about the historic workforce needs we have in this country and, if we do the right things to respond to it, the historic opportunity we have to bring people out of the shadows and into work by providing them with the skills they need to be able to access the jobs that are out there.

Pro-growth Federal policies, including the tax reform we passed here, the tax cuts, the regulatory relief, and some of the things we have done with regard to opening up more energy resources, are helping to boost job creation, increase wages, and grow our economy. As an example, the most recent data from the Commerce Department shows that the economy grew by a healthy 2.6 percent in the first half of this year and that official unemployment is now down to 3.5 percent. That is the lowest it has been in 50 years. So the economy is moving.

To me, what is most exciting is that we are seeing solid wage growth for the first time in years. In just over the past couple of years, nonsupervisory employees, including blue-collar workers, have seen about a 6-percent increase in their wages. That is about \$1.30 per hour. Think about that. After a decade—really, a decade and a half—in my home State of flat wages, which are wages that haven't keep up with inflation, we now see real wage growth. Now, over 2 years, 6 percent at \$1.30 an hour means something to the people I represent, but it will also be compounded year after year if we continue this.

This is all great news for the people I represent. They have been frustrated. They work hard, play by the rules, do the right thing, and then they can't get ahead. Now they are starting to get ahead, and that is good. I hear from small business owners in Ohio who have been able to do a lot with the tax cuts and tax reform by creating new jobs and making new investments. Ev-

eryone has. I have literally met with dozens of small businesses around our State and have had roundtable discussions.

I have asked them specifically: What happened with regard to the tax relief? Where is it going? It is going toward better equipment and better technology. Therefore, there is better productivity from workers. It is going to higher wages, and it is going to better benefits for workers.

For the past 18 months, we have seen more job openings in America than there have been people who have been looking for work. Think about that. Consistently, every month for the past 18 months, we have had more job openings out there than there have been people who have been looking for work. At no time in this century has that happened. This is precedent-setting, and it is a good thing. It is all good news, but it is not the whole story.

Part of the story is that we are still seeing a lot of individuals who are missing the benefits of this economic expansion. Why? In part, they don't have the skills that are needed to take advantage of this economic growth. You have more jobs out there than you have people who are looking. Yet you have this skills gap that keeps us from being able to have the right people in the right place for the right jobs.

I hear from a lot of employers who say they cannot continue to grow if they cannot find these workers. Some companies even say they are going to have to leave Ohio or leave the United States if they don't have the workforces because a workforce, like other inputs, is very important to our having a competitive economy. So we have to solve this problem.

In Ohio and elsewhere, there are now thousands of job openings for positions for welders and machinists in factories, for medical technicians in hospitals, and for computer programmers and coders in almost every sector of our economy. This morning, if you go to [ohiomeansjobs.com](http://ohiomeansjobs.com), you will see some of these jobs advertised. There are about 150,000 jobs out there. These jobs that you will see are what economists call middle-skills jobs. They don't require one to have a college degree, but they do require one to have some training and expertise after high school.

What we have to do is to close that skills gap by providing more of this training and education for these workers. The supply of skilled workers in this category—students who pursue post-high school certificates—falls way short of the demand that is out there, and it is holding back our economy from fulfilling its potential.

In the most recent skills gap study from 2018, Deloitte and the Manufacturing Institute highlighted this widening problem. As of August, there were roughly 484,000 unfilled manufacturing jobs across America. Yet the study found that the skills gap may leave an estimated 2.4 million manufacturing jobs unfilled between 2018 and

10 years from now, 2028, with there being a potential negative impact of \$2.5 trillion.

So the skills gap is already there, but, unfortunately, it is widening. If we don't do something about it, we are going to have a lot more unfilled manufacturing jobs—good jobs with good pay.

The best known early training for these kinds of jobs is called career and technical education, or CTE. Some of you might remember it as being called vocational education. I will say that today's vocational education is not yesterday's. It is high technology. It is great equipment. It is providing the level of skills that young people actually need to understand what is out there in the real world and to get a job. This is a very important part of what we are doing as a country, and I see it all over Ohio.

Recently, I toured the Vantage Career Center in Van Wert, OH, where juniors and seniors in high school from more than a dozen school districts study things like carpentry, like automotive technology, like welding, like criminal justice.

A few weeks ago, I was able to speak to over 1,000 impressive CTE students here in Washington, DC, who were advocating for their program. In fact, they talked to a lot of the Representatives here in the Senate. The group is called SkillsUSA, and their rally every year is really inspiring.

These young people are eager to get this training. They want to get the training in order to get the jobs that are out there. We need to get more young people engaged in that, more parents signing off on that, and more high school counselors signing off on that.

I cofounded and cochair what is called the CTE Caucus here in the Congress. It is focused on holding up and lifting career and technical education. We have gone from two Senators to now 29 Senators in our CTE Caucus. Our goal is to increase the awareness of CTE programs generally and make sure people know this is a good education option for them, to get more students interested in career training, and to provide the resources and the opportunities to connect these young people with skilled jobs that offer good pay and benefits. We have passed some good legislation to do that.

Last year, the President signed into law my Educating Tomorrow's Workforce Act. That bill and the Perkins grants in the States that are currently providing \$1.3 billion in funding every year for ambitious, federally funded high schools help to encourage high quality. They make sure that the CTE programs are high-performing. Yet career and technical education goes well beyond these great high school programs.

Certificate-granting, workforce-training programs post-high school are another key way to close that skills



gap. In fact, it is probably the most important way because you can get an industry-recognized certificate that can lead directly to a job. Think of the many workforce training programs that are being offered at your local community college or at your local technical or trade school.

For these post-high school training opportunities, we have a problem, and we have a solution. The problem is that they are expensive, and a lot of young people can't afford them. The opportunity is to allow Pell grants to be used for these kinds of training programs. Currently, we use the Pell grants to help expand access to college-level education here in America. For low-income families, their kids can go to college on Pell grants. Unfortunately, they can't use the Pell grants to take this short-term, 15-week training program and see the light at the end of the tunnel in order to get the good-paying jobs at the end of it and have no debt.

The bipartisan JOBS Act, which I have cosponsored with Senator TIM Kaine, of Virginia, will allow us to do just that. It will allow us to do the same thing we do with college with these shorter term training programs that will give you a high-quality, industry-recognized credential. Under current law, low-income students are eligible for Federal Pell grants if they attend college for an associate's degree or a bachelor's degree but not if they choose to enroll in an accredited skills training program for under 15 weeks. In this economy and in this day and age, that doesn't make sense at all.

I am supportive of Pell grants for college. You should know that more than half the young people who take out Pell grants for college don't end up getting the college degrees or the certificates or anything that helps them to get those jobs. Whereas, in these short-term training programs, it is highly likely, based on the experience we have looked at, that they will get those certificates, and they will get those jobs.

The JOBS Act is needed right now to meet the needs out there. These kinds of workforce training programs provide students with the academic and technical skills, knowledge, and training necessary to succeed in their future careers. They encompass the kinds of high-quality, rigorous job training programs that are easily transferable to those jobs that are in demand right now, whether it is learning how to conduct HVAC installation, how to operate a factory machine—which includes, by the way, being able to program a computer that helps run that machine—or how to program computers generally, how to be a coder, how to ensure you have the skills to be in one of our great healthcare tech jobs that are open right now.

These programs teach students the practical, transferable skills that keep our economy moving. I hear about this every time I am home in Ohio. During the recent work period that just

wrapped up, I held two separate roundtables—one at Brainerd Industries in Dayton, OH, and one at Talon Products in Cleveland, OH—talking about this issue with business owners, with administrators from our community colleges, with students themselves, with workers who are on the job. Guess what. All of these groups agree that the JOBS Act is a great idea whose time has come. They all agree that the skills training programs create a path to good-paying jobs, and they want the help.

What is more, we know that a lot of business owners will help these employees, once they get that job, to be able to go back to school if they want to, maybe to get a 2-year or a 4-year degree, maybe even to get a master's degree, say, in engineering, to take their education to the next level.

The fact that you do a short-term training program to get a job doesn't mean you are not going to go back to college, and that might be appropriate, in some companies, for many individuals. In fact, a representative from Clark State Community College, Crystal Jones, who was in attendance in Dayton, OH, said that she specifically believes a lack of Pell grant assistance for young people looking to get training certificates is a significant barrier. She said it makes it more difficult in their efforts to ensure that employers get the skilled workers they need. She said the JOBS Act will help.

Crystal is right. The JOBS Act has been endorsed by the National Skills Coalition, the Association for Career and Technical Education, the Business Roundtable, and so many other groups. We are told that it is the No. 1 priority of the Association of Community College Trustees and of the American Association of Community Colleges.

A lot of us here in this Chamber support our community colleges. They do an awesome job. Well, this is their top priority, so we should listen to them.

I am also pleased that the JOBS Act was included in President Trump's fiscal year 2020 budget proposal. I thank the President for that, and I thank the administration for supporting it, as I thank so many other outside stakeholders who are promoting this idea. Let's allow Pell to be used for short-term training programs that we need.

The reason this JOBS Act has such strong support is that it is the best proposal out there right now to help fill this skills gap that we have. It will cover programs that, at a minimum, require 150 hours and 8 weeks to complete. Alternative proposals are out there, but they severely limit the programs by requiring many more hours—320 hours, as an example, in one program.

Our community colleges in Ohio tell me that none of their short-term training programs—none of them—would qualify for that number of hours—programs like welding, precision machining, CDL programs for truck drivers, electrical trades. They all need the JOBS Act, and they need it now.

As we work to reauthorize the Higher Education Act this year, passing the JOBS Act is the top priority for Senator Kaine and me. It is also supported by Chairman ALEXANDER and Ranking Member MURRAY of the Health, Education, Labor, and Pensions Committee, and we strongly appreciate their support.

I hope colleagues on both sides of the aisle will join us to get this legislation enacted. It just makes too much sense not to do it.

If we make career and technical education a priority and if we enact the JOBS Act, as I have discussed today, we are going to address the No. 1 issue we are now hearing from employers all around the country, and we are going to help so many thousands of Americans have a better opportunity going forward.

We are going to help our economy at a time when we need to have this workforce there in order to have the economy continue to grow.

There is momentum in Ohio today, with businesses expanding and seeking skilled workers, but the skills gap is an impediment. We need to seize this opportunity, keep our economy moving in the right direction, and help Ohioans develop the skills to grow in the career of their choice and to fulfill their potential in life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### AMENDMENT NO. 1044

Ms. SMITH. Mr. President, I thank my colleague from Ohio for raising these issues about the skills gap. This is something that is very important in Minnesota, as well, and I agree with him. I think this should be a place where we could find some bipartisan agreement. So I thank him for his words today.

Mr. President, today I rise to talk about another gap that I would like to ask my colleagues for help in filling.

For many Americans, the 35-day government shutdown during the last holiday season is a distant memory. The national parks have reopened with their usual programming; airports are running normally; and Federal employees are back on the job with the back-pay they had lost through no fault of their own because of the Federal Government shutdown.

But for one group of workers, things are not back to normal. These are the low-wage workers employed by Federal contractors serving in cafeterias, providing building security, and keeping Federal buildings clean. These Federal contractors work shoulder to shoulder with Federal employees, and though they are often invisible, they play a crucial role in keeping the Federal Government working for Americans.

Thousands—potentially hundreds of thousands—of these workers at Federal facilities all across the country were not allowed to work during the Federal Government shutdown. They went without paychecks during the height of



the holiday season. They skipped Christmas gifts. They missed tuition payments. And they even, in some cases, were unable to afford the insulin they need to stay alive if they live with diabetes.

Unlike Federal employees, these employees of Federal contractors didn't get backpay when the government reopened. They were ready and willing to work every single day of those 35 days of the shutdown, but they couldn't, through no fault of their own, and they paid the price. That is just not right.

Making ends meet in a low-wage job is hard enough, and making ends meet when you miss two paychecks—when those paychecks are taken away from you—is nearly impossible. Families who didn't get the income they were expecting were forced to borrow from friends. They were forced to rely on the help of others. They had to make difficult choices, and many of them are still in a financial hole that was not created by them and that they can't dig themselves out of.

So, colleagues, I rise today to ask you to help me in righting this injustice, and I am glad to be joined on the Senate floor by several of my colleagues who also have been strong advocates for these workers. Senator BROWN from Ohio, Senator VAN HOLLEN from Maryland, Senator KAINE from Virginia, along with many of my colleagues, have helped to try to right this wrong. In this way, we have introduced bipartisan legislation to provide modest backpay to these workers.

The House included our backpay language in the appropriations package that is on the Senate floor today. It is in the bill that the House passed. Unfortunately, Senator MCCONNELL's substitute amendment strips out this critical provision that would provide backpay to these Federal contract workers.

Today, what I am proposing is that we come together in a bipartisan way and that we add back the backpay language—put it back in the legislation—and I have filed an amendment that would accomplish this.

I have talked with many of my colleagues on both sides of the aisle here in the Senate Chamber, and I have to tell you, I have not found a single person who was willing to say—who even wants to say—that these Federal contractors don't deserve backpay. In fact, more often than not, when I talk to my colleagues, they will say: Didn't we take care of that?

Well, colleagues, we didn't take care of that, and now we have an opportunity to fix this gap. We have an opportunity to do something for these Federal contract workers who are proud Federal Government employees in almost every sense of the word.

Our proposal would allow contractors to fund backpay for their employees through a well-known and often-used contracting process known as equitable adjustment.

Often people will say: Oh, TINA, this is a good idea, but it would be so difficult to accomplish this.

Well, actually, there is an existing mechanism for accomplishing exactly what we need to do here, and it is called equitable adjustment.

I have also made clear to my colleagues who have asked questions about this that I am happy to work with anyone who has suggestions for what we can do to further improve this proposal. But we have been told across the board that this is a good way of accomplishing this—an equitable way, a way that would have good accountability—and that it would work.

Over the last 10 months, I have been proud to stand with Federal contract employees who have been fighting for this amendment and to stand with so many others around the country.

Tragically, in July, one of our strongest voices for these workers, SEIU 32BJ President Hector Figueroa, passed away unexpectedly at age 57. Hector was an amazing advocate for workers all over this country. He knew how important it is to solve this Federal contractor backpay problem, and he understood viscerally exactly what difference it would make in the lives of people who lost that income. It should not be lost forever.

Hector led 170,000 janitors, food service workers, and others in their efforts to secure decent wages and better working conditions, and he played a crucial role in making sure that these workers' voices were heard on Capitol Hill and in State legislatures. Hector was a source of inspiration for both workers and public officials, and I miss him as a partner in this effort.

Colleagues, recently we also lost another partner in this fight. Chairman Elijah Cummings from Maryland was a longtime champion for Baltimore workers, and he was the leader of the primary House committee on Federal workplace issues.

In March, Chair Cummings led a letter with 48 House Members saying that "we must act to ensure . . . federal contractor employees are made whole." So I rise today to urge my colleagues that Federal contract workers should be made whole, as Chair Cummings worked so hard to accomplish.

Let's not forget Chair Cummings' message. Let's not forget the passion and the work of Hector Figueroa. Let's not forget about these workers. Let's follow on the advocacy of these people and so many others to pass backpay for Federal contract workers and make sure that these hard-working Americans get the backpay they deserve.

I am so grateful to be joined on the floor today by several of my colleagues, including Senator CHRIS VAN HOLLEN, who has been such a strong advocate for Federal Government contract workers in making sure that they do not have to pay the price for this shutdown, which happened through no fault of their own. I am very glad to be here with Senator VAN HOLLEN today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### TRUMP ADMINISTRATION

Mr. VAN HOLLEN. Mr. President, I want to start by thanking our colleague, the Senator from Minnesota, Ms. SMITH, for her steadfast support for this group of Federal contract employees who were left behind, and I plan to address my remarks to that subject in one moment.

Before I do that, I just want to call on every Senator to stand up against the vicious character assassination that is taking place against patriotic Americans testifying under oath in the House.

Today we are hearing, in the House, the testimony of Lieutenant Colonel Vindman. Here is an individual who served as an officer in the U.S. Army, an infantry officer overseas, including in South Korea and Germany and a deployment to Iraq for combat operations, where he was wounded in an IED attack and awarded a Purple Heart.

Just a little while ago, the House heard sworn testimony from Ambassador William Taylor, who is currently our Acting Ambassador to Ukraine. He also served in the U.S. Army. He served in Vietnam; he served in Germany. Later, in a different capacity, he served in Baghdad as the director of the Iraq Reconstruction Management Office. He served in Kabul, Afghanistan, coordinating international assistance. He was selected by Secretary Pompeo to be our Acting Ambassador in Ukraine.

So we can disagree on a whole lot of things. We can also reach different conclusions based on the facts. But I hope every Member, including, importantly, our Republican Senate colleagues, will stand up against the character assassination being launched at these witnesses who are giving testimony under oath and under penalty of perjury.

It is absolutely disgraceful—this kind of character assassination, impugning people's motives. These are patriotic Americans.

At the very least, we should agree on that.

#### AMENDMENT NO. 1044

Mr. President, I also believe we should agree on this important initiative that has been brought before this body by Senator SMITH to do justice and be fair to contract workers who perform a lot of thankless and often unnoticed tasks for the Federal Government but who are essential to its workings. These are cafeteria workers. These are janitors. These are folks who work in Federal offices not just in Washington, DC, but all over the country.

When we had that unnecessary and shameful 35-day government shutdown, we not only locked out a lot of Federal workers from doing their jobs, not only did the Small Business Administration freeze approvals of small business loans, which were important to many businesses around the country, not only did the Department of Agriculture shutter the farm service centers in rural communities, not only did thousands of homeowners face long delays

in loan processing approvals from the FHA, but these Federal contract workers who, in many cases, are living paycheck to paycheck, went without pay for 35 days, and they never recouped that pay.

We did the right thing in this body for Federal Government employees. We recognized that the government was shut down through no fault of their own. There was nothing Federal workers did to cause the government shutdown. They wanted to be at work doing their jobs for the American people, and we recognized that. We recognized that they should not be penalized for something they had nothing to do with. We should do the same thing now for Federal contract workers. That is exactly what this measure will do.

These contract workers typically make between \$450 to \$650 a week. These are not people living high on the hog. These are people getting by day to day.

One of them is Ms. Lila Johnson. She is from Hagerstown, MD. She worked as a cleaning services contractor for the Department of Agriculture for over 20 years. She is the primary breadwinner for her family and is helping raise two grandchildren. During the shutdown, she struggled with her rent, her car payments, and her life insurance payments on top of keeping food on the table. She lost \$1,600. That may not sound like a lot to some Senators, but I can tell you it is a lot of money for someone living paycheck to paycheck, trying to meet the bills, and who is the family's primary breadwinner.

What this bill is about is making sure Lila Johnson, and others like her, are not penalized for something they had nothing to do with, harmed by something that was totally beyond their control.

I thank Senator SMITH. I thank our colleague Senator BROWN and my colleague from Maryland Senator CARDIN.

I also want to remember, as my colleague from Minnesota did, Elijah Cummings, who passed away recently—a great Marylander. I knew Elijah for over 20 years. He committed himself to many causes important to social justice, both for Marylanders and for every American, and this was one of them. This is one of the things that he just recognized was fundamentally unfair—people who were scraping to get by paycheck to paycheck being punished for something they had nothing to do with—wanting to show up for work, wanting to show up for work every day but being shut out and then denied their paycheck. Let's remedy this wrong, and let's make sure we adopt this measure.

Thank you.

I thank the Senator from Minnesota. I yield the floor.

The PRESIDING OFFICER. I recognize the Senator from Virginia.

Mr. KAINE. Mr. President, I thank my colleagues for their eloquent words on behalf of the Federal contractors.

If you are a Virginia Senator, and if you are a Maryland Senator, you meet Federal contractors on any occasion all around the State. We often think of the Federal contractors as significantly located in the DC-Metro area or in Hampton Roads, but some of the smallest counties in Virginia have significant Federal contractors. So I am very happy to join my colleagues and applaud Senator SMITH's efforts in this regard.

All Americans were affected by the unnecessary shutdown at the end of last year—people trying to go to parks to enjoy time with their families or visiting other Federal installations that were down. We saw the lines of Federal employees waiting outside of Jose Andres's DC Central Kitchen in cold January weather. Federal employees, many in uniform, were trying to get free meals.

Some of the most affected, as my colleagues have explained, were workers who were suddenly without paychecks through no fault of their own. These workers—800,000 of them—worked directly for the Federal Government. We were able to secure backpay for those workers and in a very positive way. This is something that the body did together, which I think is important. We not only got a backpay bill for Federal workers for those affected by the last shutdown, but we put in a guarantee that in any future shutdown they would get their pay. Once you have done that as a guarantee, why have a shutdown? If you have guaranteed that people will be paid, why would you lock them out of their office and deprive them of the ability to serve their fellow Americans?

Hundreds of thousands of contract workers were not included in that backpay bill, and thus they have been left behind. Many of these Americans are paid on an hourly basis. They are not annual salary employees, and they do live paycheck to paycheck. When the shutdown hit, they went home without pay for weeks—5 weeks—and no word on when or whether their job would start back up again.

The people I meet who are in this category are very hard-working. They are security guards; they are cafeteria workers; they are cleaning staff; they are IT workers—people whose diligent functioning in their jobs sort of keep the lights on and the enterprise going.

Missing a whole month's pay is not a trivial thing for most American families, and many of the families had to borrow, rely on friends and families to get by, and used the services of soup kitchens or clothes closets. Many likely are still carrying debt incurred because of the shutdown. Some had to make withdrawals from their Federal Thrift Savings Plans, with penalty and interest because of that.

The individuals were affected, but it is also, bluntly, their families, and even the communities and local businesses in and around where there are these contracting employees.

During the shutdown, I asked Virginians to share stories with me, and many did. These are Federal employees who were affected by the shutdown, but it was not just the employees who shared it, it was also these contractors.

Of course, I did hear a number of stories of Virginians coming together. I had a chance to go work as a volunteer at the DC Central Kitchen, and what struck me is how many of the volunteers were people who had been furloughed. They weren't being paid, and they wanted to serve their fellow Americans, but because they were being locked out of their office, they decided to go to the Central Kitchen and work serving meals to their Federal colleagues.

Alongside some of the stories that were coming together, I did hear tough stories about people who ended up forgoing necessary expenses. I will just read a couple to you. These are all from Virginians who are Federal contractors.

Michael, from Herndon said:

Like many of your constituents, I work as a government contractor for a small business. My entire household income depends on serving government clients, which I am unable to do in light of the government shutdown. My company is losing revenue every day and has arrived at the point where we must force employees to use vacation, take leave without pay, or be furloughed. Unlike federal employees who will almost certainly receive back pay once the shutdown is resolved, my employees and I have no such recourse. I've lived in the Washington DC area for almost 25 years and worked exclusively in serving the government industry, and this is the first time I've been compelled to contact my elected officials.

Bottom line: I'm struggling. My employees are struggling. Our families are struggling. Small business[es] are the engine of economic growth and stability in our region and the shutdown is destroying us. Please work with all parties to reopen the government as soon as possible.

Sukumar, from Great Falls said:

I am the CEO of a small business in Virginia which is 100% focused on federal contracts. After two weeks of shutdown and no end in sight, we are nearing a point where we are losing revenue (because our people can't work), invoices are not getting paid by the Government and we are facing a dire cash flow situation. This will affect our ability to make payroll needing to borrow monies at higher interest rates and increase the perils of shutting down our business. Many of our furloughed employees are having a tough time paying bills and making ends meet. Some of them are contemplating a private sector career, leading to the loss of valuable talent to serve the government.

Virginia, from McLean said:

I am a federal contractor working in Washington D.C. and a lifelong Virginia resident. I have been furloughed due to the government shutdown, and because of my status as a contractor will not be receiving compensation after this is over. . . . This is not a vacation for me, nor is it a vacation for any federal worker. . . . It's impossible to plan for lost pay when you are unsure how much pay you might be losing, and it's impossible to amend deadlines when you aren't sure how many projects are going to go unattended to and for how long. Many argue that federal workers should have savings to prepare themselves for the shutdown but I am a young person, this is my first job.

A Washington Post article from January detailed the struggles of many low-wage workers, including one who lives in the District, Julia, a contracted janitor for the last 27 years, most recently at the Department of Agriculture, who cares for her elderly mother with dementia. She has had to use the last of her sick days to keep money coming in. All told, she lost \$1,000 in savings, went into debt, and relied on the charity of churches for free meals.

Again, these are people who make the life choice—they could have made other choices, but they make the life choice to serve our government, meaning serving by, of, and for the people. They did that not for grand fame or glory or riches, but they do have an expectation that they will not be gratuitously kicked around—maybe a thank-you or maybe just being treated fairly.

I think we did take a step forward when we passed the backpay bill to guarantee that Federal workers would be treated fairly. I think Senator SMITH's amendment, which I am proud to be an original cosponsor of, that I hope we will have a chance to take up, would remedy the situation with respect to these workers. This is not for every contractor. This is the Fair Compensation for Low-Wage Workers Act, so it is specifically focused on compensation for the contractors who receive low wages, those who are most vulnerable and were most affected by losing salary for 5 weeks.

Here is the good news: The House included this provision in its appropriations bill this past summer. It is not in the appropriations bill we are now considering in the Senate.

I implore the majority leader and all of my colleagues to do for these low-wage Federal contractors what we did for Federal employees: recognize the hardships the shutdown caused these workers and their families and add backpay for Federal contractors, which is the bill we are getting ready to vote on.

This would be a little step forward and a precedent. We haven't necessarily done this in the past, but just as the guarantee of backpay for Federal employees, I believe, starts to build in a little bit of firewall against a shutdown, I actually think having a rule, a norm, that we would provide backpay for low-wage Federal contractors also starts to provide a little bit of a firewall against a shutdown.

I think we should all be anti-shutdown, and having mechanisms that make it harder to shut the government down, or less likely that we would shut it down, is something we should all support.

Without us intervening and doing right by these workers, many of them will take years to recover from the financial hole the shutdown put them in.

I ask my colleagues to join together and support Senator SMITH and her amendment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator KAINE for his work on this and speaking out on it. It is an issue of justice, an issue of fairness, and an issue that—I mean, how can you be against this? I don't even pretend to understand it.

Senator SMITH, who is still relatively new to this body, has taken a leadership role on an issue that is as important in terms of human rights as any I can imagine this body has taken up, this fight for Federal contract workers who suffered because of President Trump's disastrous shutdown earlier this year.

When you think about this, these are workers making \$8, \$10, and \$12—I know most of my colleagues don't know anybody—well, actually, they know people who make \$8, \$10, and \$12 an hour, they have just never actually asked them their names and talked to them about their lives to find that out. We dress well. We have great healthcare benefits. We have good wages here, and most of the people who serve us: the cafeteria workers here, the people who come in at night when we leave and clean our offices—in this case, many of them are Federal employees, but some of them are contract employees. That simply means—go to the Cleveland airport and talk to the people who drive the carts taking people to and from their planes or talk to the people who push the wheelchairs of people who have a little trouble getting on and off the planes. Those people don't work for United Airlines. They don't work for Cleveland Hopkins airport or Dulles or National or the airport in whatever it is called—sorry, Senator SMITH—in Minneapolis-Saint Paul. They work for contractors so often, and those are the people we are talking about. Those are the people who are ignored. They are making \$8, \$10, \$12 an hour. We don't pay attention to them in this body. We don't know their names. We don't speak for them too often. Senator SMITH, Senator KAINE, and I are speaking for them because we know what happened to them.

I think Americans don't realize that thousands of janitors and cafeteria workers and security guards spent weeks out of work because of Trump's disastrous shutdown. They are employed by private contractors, not the government, and they are paid too little to begin with, and they have no way of making up those lost hours and lost wages.

Missing a paycheck—you know, a lot of people in this country can absorb missing a paycheck if they are in the 1 percent or the 2 percent or the 5 percent or the 10 percent wealthiest people, certainly the billionaire President and his multimillionaire—except for those Cabinet members who are billionaires—Cabinet with their massive investment portfolios. But for most Americans—most Americans—missing a paycheck is a big deal.

The President doesn't understand and doesn't seem to care to understand that working people couldn't just send a letter to creditors, saying: Please excuse me this month, Mr. Landlord or Ms. Landlord, from paying rent or paying my mortgage or paying for my medications at the local CVS. They take money out of their savings, if they have any savings. It is awfully hard to have savings at \$10, \$12, and \$14 an hour. They take money out of those savings. Or, more likely, in the case of these contractors who earn \$10, \$12 and \$14 an hour, they turn to family members; they run up their credit cards; they go to payday lenders; and they never get out from under that, as you know.

Some of them—many, many of them—are still dealing with the debt. I remember talking to cafeteria workers in Senator KAINE's State in Arlington. Federal contractor workers who serve food in our Smithsonian museums are not Federal workers. Most people who go to the Smithsonian figure people who are serving the food and cleaning the place or cleaning the offices and exhibits are probably government employees, but they are not.

One worker told me: I have to pay rent, and I have other bills. I have a college student in his second semester, and he needs help with his books.

The president of one SEIU local, which represents janitors and security officers, said that those workers and their families “will continue to relive the trauma on a daily basis until they are compensated for 35 days of income”—35 days of income they went without. They are already living on the edge, and this body, because of its inaction, because of its head in the sand, because of its—pardon my language—boneheadedness, simply ignores them and just washes their hands. They say, “I don't know who they are, and I don't know their names, so we are not going to do anything to help them,” even though it was the Trump shutdown that betrayed these workers.

The same President betrays workers by denying the overtime pay they have earned. The same President puts people in the Supreme Court who put their thumb on the scale of justice always to support corporations over workers, always to support Wall Street over consumers, and always to support health insurance companies over patients. Put on top of that the Trump tax cuts—a massive giveaway to the wealthiest 1 percent.

I spoke to a group of union members today. They want a transportation bill. They want an infrastructure bill. They know what the bridge looks like connecting my State in Cincinnati over the Ohio River with that of the Republican leader down the hall—Senator MCCONNELL's State. They know the needs there. I have to say, we got no money because of this tax cut that my friends over here voted for, most of which went to the wealthiest 1 percent.

Because of the Trump shutdown, these workers we are talking about

went without paychecks. He has done nothing to fix it. It comes back to the dignity of work. All work has dignity. Dr. King said that no job is menial if it pays an adequate wage, but it also means getting to go to work every day and earning that pay.

For these contract workers, their work has dignity. If the President understood that, he would make sure they would get their paychecks. The House already passed backpay for contractors 4 months ago.

I ask my colleagues to join us on Senator SMITH's amendment because if you love this country, you fight for the people who make it work.

(Mr. CRUZ assumed the Chair).

AMENDMENT 1088

Mr. BROWN. Mr. President, I rise to speak about Amendment 1088, which I introduced with Senator JONES. The amendment is straightforward. It provides \$5 million to fund Centers of Excellence at 1890 land-grant universities. This amendment—I want to underscore this—includes an offset.

Let me tell you why I introduced this. The authorization for these Centers of Excellence was included in the 2018 farm bill. I offered it as an amendment in the Senate Agriculture Committee. It could be critical for schools like Central State, west of Columbus, in Ohio. The chairman and the ranking member of the Ag Committee supported it. The Senate majority leader supported it, as did the chair of the Ag Appropriations Subcommittee. The entire committee supported it. It passed by a voice vote.

Then we passed the farm bill and sent it to the President. We got 87 votes from this body for the farm bill. That is more than ever, I believe, any farm bill has ever passed the Senate. These centers will focus on important challenges facing the agriculture sector and its workforce.

I ask unanimous consent that the letter of support from Dr. Kent Smith, president of Langston University in Oklahoma on behalf of the Council of 1890 University Presidents, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASSOCIATION OF PUBLIC &  
LAND-GRANT UNIVERSITIES,  
Washington, DC, October 29, 2019.

Hon. RICHARD SHELBY,  
Chairman, U.S. Senate Committee on Appropriations, Washington, DC.

Hon. PATRICK LEAHY,  
Vice Chairman, U.S. Senate Committee on Appropriations, Washington, DC.

Hon. JOHN HOEVEN,  
Chairman, Senate Agriculture Appropriations Subcommittee, Washington, DC.

Hon. JEFF MERKLEY,  
Ranking Member, Senate Agriculture Appropriations Subcommittee, Washington, DC.

DEAR CHAIRMAN SHELBY; VICE CHAIRMAN LEAHY; CHAIRMAN HOEVEN; AND RANKING MEMBER MERKLEY: On behalf of the Council of 1890 Presidents, I am writing to express our support for Senator BROWN and Senator JONES' amendment to the FY 2020 Agriculture Appropriations bill to fund the newly

created Centers of Excellence. As you know, these new Centers were authorized and created in the 2018 Farm Bill. The work of these Centers is a critical part of the future research in several strategic areas that our Universities will do on behalf of the country.

I understand that the amendment being considered by the Senate would provide half of the authorized annual funding for the new Centers. While we certainly appreciate that effort, we strongly encourage the Congress to fully fund the Centers to their authorized level. These Centers were promised to our Universities almost 30 years ago and while we are pleased that they are close to being a functioning reality, without this initial funding they will not get off-the-ground.

Again, we strongly support Senator BROWN and Senator JONES' efforts and look forward to working with you to have this amendment included in the final version of the FY 2020 Agriculture Appropriations Bill.

Sincerely,

KENT J. SMITH, Jr., Ph.D.,  
Chair, Council of 1890  
University Presidents,  
Langston University.

Mr. BROWN. Dr. Smith notes that they have been promised these Centers of Excellence for 30 years. The Senate needs to act, and it needs to include my amendment to right this wrong.

I remind my colleagues that the 1890 land grants were created because many States, rather than allowing African-American students to attend the 1862 land-grant universities, decided to set up, in the name of segregation in those States, a separate system of colleges and universities.

The 1890s schools, as my colleagues know, despite providing a pathway to the middle class for generations of mostly African-American students, have been ignored or, at best, underfunded since their creation.

I have tried to figure out why my amendment is not just automatically set. Again, it was authorized by the Agriculture Committee; it passed the Senate unanimously; it was signed by the President. Why isn't this amendment acceptable? The majority can't be opposed because the House funded this program; the majority has cleared amendments that duplicate House money. It can't be because my amendment is too expensive, as the majority, I am told, is willing to clear a Thune-Hoeven amendment that funds Tribal colleges—which is a good thing—at the same level as my amendment.

I have worked with the committee to find an offset for my amendment, and even though the authorization is for \$10 million a year, at the committee's urging, I have reduced it to \$5 million, and still, for whatever reason, they can't see clear to support this.

I know if this came up for a floor vote, we would pass it overwhelmingly. I don't know why we need to do that rather than just accept this.

I urge my colleagues to include this commonsense, fully paid-for amendment in the appropriations bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, this isn't part of the remarks I had planned for, but let me just surprise the Senator from Ohio and say I agree with him. We need to pass a transportation bill.

He mentioned some of the union workers he was talking to this morning, and they want Congress to function as it should, which means we should pass our appropriations bills, the Transportation, Housing and Urban Development bill that the Senator from Maine is the bill manager on. We ought to do all of our appropriations bills, including keeping our commitment to our men and women in the military by passing the Defense appropriations bill.

Unfortunately, we know that politics has overwhelmed our ability to function here in Congress, and the Democrats, for some reason, decided to filibuster the Defense appropriations bill just recently.

What I worry about is this obsession with politics and dividing the Nation 12 months before the next general election, when everybody who is a registered voter will have a chance to vote on the next President of the United States. We are going to let that dominate our discussions to the failure of our ability to actually pass appropriations bills, fund the military, and fund a highway bill, which would provide much needed infrastructure development all across our country, including the fast-growing States like those the Presiding Officer and I happen to come from.

So I hope that the growing sense I have that we are simply going to quit functioning a year out before the election, because of the obsession over politics and impeachment mania, does not prove to be true. But the storm clouds are on the horizon, and I am becoming increasingly convinced that, unfortunately, that is the only thing Speaker PELOSI and the House Democrats care about, and our ability to actually get our work done is going to be tragically squandered.

DEATH OF ABU BAKR AL-BAGHDADI

Mr. President, let me talk about some good news. Of course, this weekend, the world celebrated as the hunt for the leader of ISIS—the latest terrorist organization that has dominated the news—finally came to an end, and President Trump announced the successful raid by U.S. troops that led to the death of Abu Bakr al-Baghdadi, the world's No. 1 terrorist. This, of course, is reminiscent of that effort under the Obama administration to take out Osama Bin Laden years after he led the effort to kill 3,000 Americans on 9/11 in New York and here in Washington at the Pentagon.

With the elimination of the ISIS caliphate earlier this year, it was only a matter of time before al-Baghdadi would run out of places to hide. I want to say how much I admire and appreciate the courage and the dedication of the men and women who contributed to

this raid and who actually made it happen. This is an amazing combination of talent, training, intelligence, and cooperation with our partners in the Middle East that led to this incredible and successful effort. I am grateful to our military leaders, our intelligence professionals, our servicemembers, and our allies who have been tirelessly working for this goal for years.

I applaud President Trump for making the difficult decision to put American troops in harm's way. Fortunately, it did not result in any loss of life or injuries, I am told, for the troops who actually executed the raid, but let's give credit where credit is due. Just as President Obama deserved credit for making the difficult decision to take out Osama Bin Laden, President Trump should be entitled to credit for making the difficult but important and correct decision to take out ISIS's leader.

Because of the decisive action and flawless execution of troops on the ground, it was a great day for freedom-loving people and for all Americans that the world's No. 1 most wanted man was brought to justice.

Coincidentally, yesterday, I was in Austin speaking to the Mortgage Bankers Association, and Admiral McRaven came on right after me. It was an amazing coincidence and a real treat for the mortgage bankers who, after I got through talking to them, got to hear from the man who led the raid that brought down Osama bin Laden in 2011. It was a remarkable moment to reflect on our Nation's ongoing fight to eradicate terrorism and the great leaders and the great professionals who have contributed to our efforts to keep America safe.

It is important that we all remember that the fight is not yet won and that it actually may never be finally concluded. We must remain committed to working with our allies in the region and around the world to continue to eliminate terrorism wherever we can and prevent its resurgence.

As I indicated earlier, later this week, the Senate will begin voting on spending bills to fund the Department of Defense so that they can continue this fight, and it would be ironic, indeed, if our Democratic colleagues thwarted our efforts to fund the Department of Defense once again in the wake of this incredible accomplishment by those professionals.

Last month, Democrats blocked us from even considering the defense spending bill. They decided their seemingly never-ending disputes with President Trump transcend national security.

I hope this weekend's announcement has brought this decision into some perspective. We need to quickly pass the defense spending bill to ensure that our military will not be impacted by these political games.

#### HEALTHCARE

Mr. President, on another matter, I continue to hear from my constituents

back home about the number of Texans who are struggling to cover the cost of their prescription medication. We know that deductibles, particularly under the Affordable Care Act, have gotten to be very high.

As a matter of fact, it is not uncommon to hear people say that they have a deductible of \$5,000 or more. The copays they have to pay for prescription drugs, strangely enough, in their deductible—the \$5,000 you would have to pay under your Affordable Care Act policy—they get none of the benefit of the negotiated discount or rebates that the drug companies get with prescription pharmacy benefit managers. That does not flow to the consumer. Actually, consumers are being treated much worse than the insurance companies and the pharmaceutical companies are and deriving virtually no benefit.

I have heard stories. We had one particularly profound story about a woman whose son is diabetic. He became an adult, and she described how purchasing his insulin affected many of his decisions, such as moving out of the house, getting a job, whether or not to marry, basically because he had to manage the high cost of the copay for the insulin that was necessary to preserve his life.

Unfortunately, as in many cases, people end up self-rationing their drugs to make them last longer, and that is at a great health risk to them, to skip doses or to take less or to otherwise not follow their doctor's orders.

People are frustrated and confused. They are increasingly worried about how they and their loved ones are going to continue to cover these rising costs, and they want to know what Congress intends to do about it. I frequently tell the folks back home that the most frustrating moments in Washington, DC, are when the White House and Congress agree and when Republicans and Democrats agree that something is a problem and needs to be done, but nothing gets done. That is a hard one to explain. Everybody says yes, we need to deal with high prescription drug costs, but we don't seem to be capable of getting things done.

I am always happy to share updates about the progress we make within our committees, such as the Finance and Judiciary Committees I serve on. Unfortunately, when it comes to getting a bill across the floor of the U.S. Senate, it has proved to be an insurmountable challenge.

We have spent a lot of time hearing from patients, healthcare providers, drugmakers, and other experts about prescription drug costs, and it is admittedly a very complex topic, but I think a lot of the folks involved in the business sort of enjoy that black box they operate in and they are afraid of the transparency that would actually reveal who is getting the money and why it is that the savings don't flow to consumers.

We have been looking at every stop a drug takes in route, from research and

development to the shelf of your medicine cabinet. We have seen some things that are pretty alarming. There are pharmaceutical CEOs earning big bonuses, of course, as sales go up. I am not opposed to CEOs getting paid well for new lifesaving and innovative drugs, but I am if they do it at the expense of consumers. We have seen pharmacy benefit managers who negotiate backdoor rebates and drive up out-of-pocket costs. Of course, there are also pharmaceutical companies that game the patent system to stave off competition as long as possible.

In one of our Finance Committee hearings, I was able to ask the CEO of AbbVie about their product HUMIRA, which is the most commonly prescribed drug in America today, I believe. It is the poster child for the kind of gamesmanship that I think ought to infuse all of us.

HUMIRA is a wonderful drug. It is used to treat arthritis and a number of other conditions, and it has been available for about 15 years. One might think that would be sufficient time to cover the patent period and that a more generic or biosimilar alternative might be available, which would be cheaper, much to the benefit of consumers. You would be wrong.

AbbVie currently has 136 patents and 247 applications on HUMIRA. In fact, the maze of patents on HUMIRA is so complex that there is no biosimilar available in America. This jumbled network of patents makes it nearly impossible for a competitor to come into the market. To date, there are five competitors to HUMIRA in Europe—five—but not in America, not to the benefit of American consumers. All of these five competitors that sell a biosimilar alternative to HUMIRA in Europe are blocked from selling it in the United States until 2023. That is not an accident.

Again, I don't begrudge companies that discover lifesaving and innovative drugs getting the coverage of a patent for the appropriate period of time because that is where they recoup their research and development costs, and unfortunately not all of these drug discoveries turn out with a good story. But this strikes me as gamesmanship and an abuse of the system. Patents were intended to guard intellectual property and encourage researchers to pour time and resources into developing these new drugs. These drugmakers aren't just using the patent system to protect their intellectual property; they are abusing it, to the detriment of consumers, to increase their bottom line.

Earlier this year, I introduced a bill with our colleague from Connecticut, Senator BLUMENTHAL, to take aim at this practice. The Affordable Prescriptions for Patients Act disarms the so-called patent thickets to enable competitors to come to market sooner. This bill streamlines the litigation

process by limiting the number of patents these companies can use so companies can spend less time in the courtroom. Competitors would be able to resolve patent issues faster and bring their drugs to market sooner. Better competition, I am convinced, means better prices for patients.

Our country is a leader in pharmaceutical innovation, partly because we offer robust protection for intellectual property. And that is a good thing, but we have to do more to stop the bad actors taking advantage of those innovation protections in order to maintain their monopoly at the expense of the American people. That is exactly what the legislation I have introduced with Senator BLUMENTHAL would do. By the way, it passed unanimously out of the Senate Judiciary Committee.

The Affordable Prescriptions for Patients Act doesn't stifle innovation, it doesn't limit patent rights, and it doesn't cost taxpayers a dime. In fact, just the opposite is true. The Congressional Budget Office released a cost estimate for this bill and found that it would lower spending by more than half a billion dollars over 10 years. And that is just savings to the Federal Government for Medicare and Medicaid; there undoubtedly would be additional savings for consumers in their private health insurance.

Despite the fact that this legislation received the unanimous support of the Judiciary Committee in June, it has yet to make it to the Senate floor for a vote. As it turns out, I am informed that the minority leader, the Senator from New York, Mr. SCHUMER, is leading the charge in blocking the Senate's ability to consider that bill.

Our colleague the minority leader loves to say that the Senate is a legislative graveyard because we haven't voted on a number of ultrapartisan bills passed by the House, but when it comes to passing the bills that actually have bipartisan support—bills that could actually pass both Chambers and become law—it looks as though the minority leader has become the gravedigger-in-chief. Why he would refuse to allow a vote on a bill cosponsored by one of his own Members that would lower drug costs for patients across the country and save more than half a billion dollars over 10 years for taxpayers is beyond me. It seems like a no-brainer. Again, I am afraid that politics may have once again interfered with our Democratic colleague's interest in making sound public policy.

While our Democratic colleagues continue their crusade to remove the President from office, the American people's lives aren't getting any easier. Their lives aren't on hold such that they could just simply wait out the politics that seems to crowd out good public policy in Washington, DC. We know for sure that their prescription medications aren't getting any cheaper. So I would urge our colleague, the Senate minority leader, to quit blocking the bipartisan bill I have discussed

today so that our constituents—all of our constituents—in Texas, New York, Maine, and all over the country can begin to enjoy some relief from their mounting out-of-pocket drug costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

#### UNANIMOUS CONSENT AGREEMENT

Ms. COLLINS. Mr. President, I would ask unanimous consent that rather than recessing at 12:30 p.m., we recess at 12:35 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I want to associate myself with the comments that were just made by the Senator from Texas on the important issue of lowering the cost of prescription drugs. Not only the Finance Committee and the Judiciary Committee but also the Senate Health, Education, Labor, and Pensions Committee have all reported good bills that would help provide relief from the ever-escalating costs of prescription drugs.

Like the Senator from Texas, I, too, have introduced a bipartisan bill with Senator TIM KAINE to prevent the gaming of the patent system in which a brand-name pharmaceutical company will wait until the last moment and then erect a thicket of new patents precisely to prevent a lower cost generic or biosimilar from coming to the market.

It is a shame that apparently the minority leader is blocking bills from coming to the floor in this area despite their widespread bipartisan support, according to what the Senator from Texas has just said. This is an issue we should address. Ninety percent of our seniors take at least 1 prescription drug, and 36 percent of them take 4 or more in a month's time, and they are particularly burdened by the high cost of prescription drugs.

I, too, have looked at the manufacture of HUMIRA, the best-selling drug in the world—a drug that brings some \$18 billion in profit to AbbVie, the manufacturer. That is fine that AbbVie has been able to recoup the considerable R&D that went into what truly is a miraculous drug for people with rheumatoid arthritis, psoriasis, and some inflammatory bowel diseases, but when the patent period has expired, they should not be allowed to block a lower cost generic or in this case biosimilar from coming to the market. Yet that is exactly what has happened.

#### AVIATION SAFETY

Mr. President, let me turn to speak on another important issue that is addressed in the Transportation appropriations bill that is on the Senate floor right now, and that is aviation safety. I know the Presiding Officer has done a great deal in this area, and the CEO of Boeing is testifying on Capitol Hill today.

The importance of aviation safety in light of the crashes of the two Boeing 737 MAX aircraft cannot be overstated. Last October, Lion Airlines Flight 610

crashed shortly after takeoff in Indonesia, killing all 189 passengers and crew on board. Just 5 months later, in March of this year, an Ethiopian Airlines flight crashed and killed 157 passengers and crew. It is simply unacceptable that both of these crashes involved the same aircraft, the Boeing 737 MAX, and were likely caused because of the new system known as MCAS, as well as the pilots' unfamiliarity with the system and a lack of training. More egregious was the fact that the changes that were made to MCAS sectors certification for this system had already been delegated by the FAA to Boeing. It is clear that Boeing did everything it could to avoid having to provide additional training or make pilots even aware of the MCAS system.

Like the Presiding Officer, I have met with some of the families of the victims of these crashes, and their pain and grief are truly heartbreaking. I am committed to ensuring that we never experience anything like this ever again.

As chairman of the T-HUD Subcommittee, I have been working with my ranking member, Senator JACK REED, to do our part in improving aviation safety. We need to hold accountable not only Boeing but also the FAA and any other entities that may have played a role in these crashes.

In July, our T-HUD Subcommittee held an oversight hearing of the FAA where we questioned the Acting Deputy Administrator and the Associate Administrator for Aviation Safety on the agency's review of the MAX aircraft, as well as the agency's aircraft certification processes. Since that time, numerous recommendations have been issued by the National Transportation Safety Board and the Joint Authorities Technical Review, which consisted of technical experts from leading international aviation regulators.

First and foremost, it is imperative that both Boeing and the FAA admit the mistakes made with the MAX aircraft and remedy those serious errors in order to gain the public's trust in the aircraft again. Just today, Boeing's CEO testified before Congress and admitted that Boeing "made mistakes and got some things wrong." However, we have yet to hear what specific changes the FAA will require from Boeing prior to bringing the MAX back into service and what long-term changes they will make to their aviation and aircraft certification process.

Ranking Member JACK REED and I continue to send letters and inquiries to the FAA for additional information regarding the agency's Organization Designation Authorization Program, or the ODA Program, as well as statements made by FAA officials at our July hearing, which appeared to be incomplete at best and possibly outright wrong.

We need to make sure the FAA is a check on the delegation process—a true check—and is not captured by the industry that it regulates. Safety has to



be the No. 1 priority for FAA—way ahead of making sure that manufacturers can meet their deadlines for aircraft delivery. Safety has to come first.

As a result of the work we conducted on our T-HUD Subcommittee and our oversight hearing, Ranking Member REED and I have provided increased funding for aviation safety and aircraft certification activities. The need for additional staffing has been confirmed by the Joint Authorities Technical Review report, which determined that FAA's certification office for Boeing had inadequate staff involved in the MAX certification program.

In addition, the Joint Authorities found that FAA needs to expand its staffing for human factors and human system integration work as it relates to aircraft certification. In other words, if there is a new system, we cannot allow training on that system to be bypassed and mention of that system to not be included in the manuals that accompany the aircraft. Pilots have to know, going into that cockpit, exactly what could happen, and they need training on simulators.

Clearly, a lot of work needs to be done on this issue. I believe we have taken some important first steps in the T-HUD bill that is before us.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and assembled when called to order by the Presiding Officer (Mrs. CAPITO).

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

#### RADIO WAVES

Mr. KENNEDY. Madam President, I want to talk for a few minutes about money, 5G, and radio waves.

A radio wave is nothing more than electromagnetic radiation that moves through the air. That is all a radio wave is. Imagine a pond, and think of a radio wave as a ripple, or wave, in that pond. The wave kind of goes like this. It has a peak and a valley and then a peak and a valley. Eventually, it gets shorter and shorter. That is what a radio wave is. There are different kinds of radio waves. I don't know how many, but there are a bunch, and they are differentiated by the lengths of the peaks and the valleys.

Remember? The radio wave is doing this. As it goes to the top and comes to the bottom, that is called a cycle.

Frequency—you have heard that term before—is nothing more than how many cycles a radio wave goes through in one second. So we have out there—we can't see them, for they are invisible—thousands, millions of these radio waves that are, once again, going like this.

Now, what does that have to do with 5G? So 5G is nothing more than a certain type of radio wave. I will come back and talk a little bit about the 5G in a second.

When I make a cell phone call to the Presiding Officer, my voice is being converted into an electrical signal, as she knows. It is being sent to her phone through a radio wave. Once it gets my signal carried by the radio wave, her telephone converts it back into my voice. That is all a cell phone is.

I say: Hello, Madam President.

My voice is then converted into an electrical signal that is sent by a radio wave to her telephone. That is how a cell phone works.

What is 5G? "5G" stands for "fifth-generation wireless technology."

The very simple answer to "What is 5G?" is that it is an incredibly fast radio wave that can carry a huge amount of data. I mean, it is lightning fast. Even if you have fourth generation, it is 10-times faster than anything we have right now. Fifth generation's waves are going to be 10-times faster and will carry way more data, way more information. It is going to change the world, not just the United States of America. It is going to change the world. It is going to change space.

You have heard about the Internet of Things. 5G is going to be able to hook up all kinds of devices that will be able to talk to each other simultaneously.

Once we get 5G in America, I will be able to open my garage door from a half a mile away. The Presiding Officer will be able to set the timer on her coffee pot from here in the Senate if she wants to. Surgeons will be able to conduct surgery thousands of miles away from each other through the internet. We will have driverless cars. Do any of you ever get money out of an ATM? They are going to be gone. We will not need ATMs anymore. You will be able to get the money through a smartphone. Through 5G technology, farmers will be informed well in advance of when there are diseases encroaching upon their crops. We will not have to sign our names anymore. 5G will make possible what are called personal heat signatures. It is going to change the world.

Remember, 5G is just a radio wave. Who owns that radio wave and the air that it goes through? The people of America do. Every country owns its own radio waves. If there is any doubt, the Communications Act of 1934 says that the United States of America—you and I—own that radio wave and the ability to send that radio wave from my cell phone to the Presiding Officer's cell phone.

You will not be surprised to learn that not all radio waves—I told you

there were millions of them, billions of them—are made in the same way. There is a special kind of radio wave that is just perfect for fifth-generation wireless technology. This is called the C band. The C band is between 3.7 gigahertz and 4.2 gigahertz. That is the frequency. I think of it as being a certain type of radio wave that is perfect for C band that can be sent through the air to effectuate 5G. That certain radio wave and the air and the right to execute that service belongs to the American people, and the FCC is in charge of it.

The FCC auctions these radio waves all the time. When those at a radio company or a television company or an internet company say, "I need to use some of those radio waves," they go to the FCC. The FCC says: OK, we are going to auction that radio wave off because we believe in competition and because these radio waves belong to the American people, and so we want to get the best price.

In the last 25 years, the FCC has conducted over 100 auctions of radio waves. The FCC doesn't call them radio waves. It calls them spectrum. You have heard the term "spectrum auction." The FCC has done a public auction—over 100 of them—of these various radio waves, or bands of spectrum, and has brought in \$123 billion for the American people. It has done an incredible job.

Now we are about to assign the special radio waves for 5G. I don't blame them for trying. Yet there are three foreign-owned satellite companies, two foreign companies from Luxembourg—I love Luxembourg; it is a great country—and one foreign corporation from Canada—I love Canada—that have gone to the FCC and said they can do an auction faster than the FCC can.

We need to get these 5G radio waves out to the wireless companies really fast. These three foreign satellite companies have said: If you will just give us those radio waves, we will auction them off for you, and we will do it a lot faster than you can.

When I first read about this, I said: Am I reading this right? The FCC has held over 100 auctions. They have brought in \$123 billion. We have these radio waves for 5G that the experts say are worth \$60 billion, and instead of auctioning them off and letting everybody fairly compete, these three foreign corporations want the FCC to give them the airwaves and let them auction them off, and the foreign companies get to keep the money. I am astounded. I said: Gosh, I couldn't ask for something like that with a straight face.

But do you know what is even more incredible? The FCC is thinking about doing it. They are thinking about doing it. They are thinking about taking \$60 billion that belongs to the American people and just giving it to this alliance of companies—two from Luxembourg and one from Canada—and saying "Here. It is yours. Go auction it



off' even though they have never conducted a spectrum auction in their lives. Do you know how much \$60 billion is? I did the math. And our FCC is thinking about doing it.

What I find really incredible is that the President just issued this Executive order—well, he did it a little while ago—buy American and hire American. I was so proud when I saw this Executive order—buy American and hire American. It doesn't mean we don't love our world's neighbors, but America first. And what is our FCC thinking about doing? They are thinking about giving our spectrum to three foreign companies and letting them keep the \$60 billion. Talk about swampy.

These are also foreign companies. Now, I don't mean that in a pejorative sense, and I love Luxembourg, and I love Canada. They had a French company in here too. The French company has bowed out, at least for a while. But our job is not to maximize profits for foreign corporations; our job is to help our people.

This 5G has national security implications. Before we give away these 5G airwaves to a foreign corporation, we need to know whom they are going to give it to. What if they give it to China? What if they say "Well, we will conduct our own auction" and they give it to Huawei?

There is another reason that this whole approach is foolhardy. 5G is going to be great for the cities. That is where it is going first. But what about the people who don't live in the city? What I would like to see us do and I am encouraging the FCC to do is to hold a public auction, take some of that \$60 billion they are going to get, and use it for rural broadband to make sure the people who live in rural areas get taken care of as well as the people who live in the cities because our wireless technology companies are going to have to be encouraged. They make a whole lot more money selling in a city than they do out in the rural areas.

Remember, this foreign corporation group says they can do an auction faster, even though they have never done an auction in their lives. They say: We can do it faster, and we have to beat China. So give us the radio waves. We will do a quick auction. We get to keep the \$60 billion, but we will get it out there.

There is just one problem: All those wireless technology companies that didn't get to bid—every single one of them is going to file suit if we don't do a public auction. So we are going to have this tied up in court for 20 years. We are going to be so far behind China. China is going to have lapped us several times. We are going to think we are in first place, but we are really going to be in last place.

I have held hearings—not because of anything that I did or any competence on my part. I am chairman of the Financial Services and General Government Subcommittee of the Appropriations Committee, and the only reason I

got the job is seniority, OK? Nonetheless, I got it, and the FCC is under my jurisdiction. I have been holding hearings, and I am going to hold more hearings.

So far, the only reason that anybody can give me to take these 5G airwaves and give them to a foreign corporation is that they think they can do it faster, despite the fact that we will have litigation and despite the fact that they have never done an auction before.

The best way to resist temptation, in my opinion, is a proper upbringing, a strong set of values, and witnesses. We need to have a public auction of this internet, of the 5G radio waves. Everybody needs to compete. If we don't want a foreign company to get control of it—and I don't—we can put it in the bid specs. Huawei need not apply. Not personal, but as long as you spy for China, you can't work here.

We need a level playing field. We need to have competition. Competition is a moral good. Everybody needs to get an equal bite at the apple. This doesn't need to be done in a backroom, swampy deal. I am not saying that anybody's brother-in-law is going to get taken care of here. I am not saying that, but it sure looks swampy. And we need to do it exactly like we have done for the 100 past broadband spectrum auctions.

I am saying that not only to our Senate colleagues here, but I hope I am speaking clearly enough to the FCC. Do the right thing. Don't give away \$60 billion that belongs to the people of America to two companies in Luxembourg and one other one in Canada. It is wrong.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, I am going to speak on another matter in just a moment, but I want to thank my friend the Senator from Louisiana.

There are a number of subjects that are debated on this floor that I may know a little bit about, may not know much at all about, but on the subject he was just addressing, the question of spectrum and the challenges and the threats around 5G—I can still claim this—I am proud of the fact that I spent a longer time in business than I have in politics. My whole career was spent in the business of mobile communications, wireless communications. I spent the last 3 or 4 years on the Intelligence Committee in a bipartisan way looking at both the challenge and the opportunity in 5G, and let me assure you that some of the items the Senator from Louisiana has raised in terms of the security threats that will be posed if we end up with the wrong vendor in 5G are an enormous problem.

I don't always agree with this President. On this item, he is right. My hope is that he will stick to his guns and not trade that away in a trade negotiation with China.

I also know that getting spectrum aligned the right way has been one of our challenges because other nations have been able to, frankly, in Asia and elsewhere, align spectrum better, so the underpinnings are better positioned than we are. So how we do this is 100 percent right.

Let me also say that whether it is Louisiana or Virginia, one of the issues I hear the most—I am not talking far world; I am talking small towns and midsize cities in Virginia, and I am sure the same is the case in Louisiana—the issue is—Democrat, Republican, and Independent—when am I going to get broadband in an accessible way?

If we don't make sure that we think this through on spectrum and recognize the national security implications and also recognize that if we roll out 5G and leave, in my State, 18 percent of the population behind who doesn't even have broadband, their ability to compete in the 21st century is going to be dramatically undermined.

So I hope I will have a chance to visit with my friend the Senator from Louisiana and see if we might be able to work together on some of these issues.

For a while, at least before the FCC auctioned off that spectrum, it was left in other hands, and suffice it to say that I know how much that spectrum is worth.

I thank my friend the Senator from Louisiana for his comments.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE SECRETARY OF THE TREASURY AND THE SECRETARY OF HEALTH AND HUMAN SERVICES RELATING TO "STATE RELIEF AND EMPOWERMENT WAIVERS"

Mr. WARNER. Madam President, I will turn to a different matter.

I move to proceed to Calendar No. 278, S.J. Res. 52.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 278, S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to "State Relief and Empowerment Waivers".

Mr. WARNER. Madam President, I know of no further debate.

The PRESIDING OFFICER. Is there further debate on the motion?

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 52) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to "State Relief and Empowerment Waivers".

The PRESIDING OFFICER. There will now be up to 10 hours of debate equally divided between the proponents and opponents.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

(The remarks of Mr. INHOFE pertaining to the introduction of [S. 2731] are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. INHOFE. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### AMERICAN MINERS ACT

Mr. MANCHIN. Madam President, I want to first say thank you to my colleagues Senator WARNER and Senator CASEY for joining me on the floor today and also to Senator JONES, Senator BROWN, Senator KAINE, and the Presiding Officer for standing with all of us to protect the coal miners.

When coal companies go bankrupt, coal miners' benefits are the bottom of the priority list, which is why we are here today to introduce the American Miners Act amendment to the appropriations minibuss to protect coal miners' pensions and healthcare.

At this time, I yield my time to my good friend from Virginia, Senator WARNER, and I will come back later.

Senator WARNER.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, first of all, I have done this a number of times. I know you care. I know my colleague from Pennsylvania cares, but nobody has kept this issue alive more often and more consistently than JOE MANCHIN from West Virginia.

I am only going to take a minute or two, then I have to step off. I appreciate our leader on this issue giving me a little time.

In a few minutes, he will point out that last night, we had another coal company go bankrupt, Murray Energy. That potentially leaves 70,000 folks without a pension.

In Virginia, we have about 7,000 miners who are dependent upon UMWA funds for their healthcare retirements. Another company, Westmoreland Coal, has already gone bankrupt as well, where literally folks are weeks away from losing their benefits.

The truth is, this issue may not affect everybody across the country, but the people it does affect, it affects in a way that oftentimes undermines widows and pensioners—their very ability to maintain their livelihoods.

Our country made a commitment back in 1947 to honor miners, and we

would stand by that work. We are now going to be put to the test. My hope would be that this Miners' Act amendment would be included in the appropriations bill. I will do everything I can in my power to urge my colleagues to consider it.

Again, I thank the Senator from West Virginia. I will turn it back to the Senator from West Virginia, but I also want to again acknowledge the Senator from Pennsylvania, who has also been a leader on this. Let's make sure we commit to get this done.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I thank Senator WARNER. I appreciate very much the hard fight to get in the middle of this with me and everybody else that is in this room right now that is in this fight because we have a lot of people's lives at stake.

I came to the floor and warned that, without passing this bill, the American Miners Act, the UMWA pension fund would be insolvent by 2022, and that timeline could be accelerated to within a year if one of the major coal companies declared bankruptcy. Last night, that happened.

Murray Energy, the largest coal company in the United States, filed for bankruptcy, making it the eighth coal company in the past 12 months to do so. Murray Energy has contributed 97 percent of the money going into the UMWA pension fund annually. With Murray's bankruptcy filing, the UMWA pension fund will become insolvent even faster. They are telling me, by this time next year, there will have to be drastic cuts into people's pension checks and, if not, eliminated.

Most of those checks, I would remind everybody watching and listening, are \$600 or less, and most of them are for widows from their husbands that have passed away. They still depend on them for their basic necessities of life.

Once the United Mine Workers Pension fund becomes insolvent, this is going to start the snowballing effect. The crisis will truly go into a snowball effect and impact every other multiemployer and pension fund for America.

To say that this does not affect all of America is wrong because anybody that goes to work and pays into a benefit package, with their employer matching it, is in this same condition and in this same vulnerability. That is going to be another day that I am going to be speaking about this and what we can do to prohibit that from happening also.

That is why it is essential that we protect the coal miners' pensions now—not next year, not the year after, but now—and the reason for that is it is going to be too late if we do it any later than now.

The only problem is that we have a little bit of a stumbling block with the majority leader, Senator McCONNELL. I know he is concerned about other pensions. We are all concerned about other

pensions, but this is on the front burner now. When this happens, everything else will tumble and snowball with it.

The American Miners Act would amend the current Surface Mining Control and Reclamation Act of 1977 to transfer the funds. These are funds that are in excess of the amounts needed to meet the existing obligations under the Abandoned Mine Land fund.

So you know what AML is—the Abandoned Mine Land fund—for every ton of coal that is mined, there is a certain percentage of that put aside to take care of the reclamation that is going to be done if it is abandoned so we don't leave the environment in a horrible shape, and that is what we work towards.

This fund has some excess funds. We are still meeting those obligations. We are using those excess funds to try to prevent this insolvency. It also raises the cap on these fund transfers from \$490 million a year to \$750 million to make sure that the pension plan has sufficient future funding also. The funding for coal miners' pensions is already there. It is already there. This is the product that they have worked and developed and basically extracted. So we are working in the same realm of what their livelihood has been—and it is exactly what our amendment will do—it will reallocate those funds that they worked for.

Everybody that receives a paycheck, which is over 10.6 million hard-working men and women, they take home less wages and instead invest their pensions. As I was telling you, they invest into these multiemployer pension funds, and they take money out, and they expect it to be there.

When it is not and the bankruptcy courts allow them to walk away, the miners and the workers are put on the back burner, and that has got to change. When workers expect the wages that they have contributed to be there when they retire as they were promised and it evaporates, there is no answer. It is all in bankruptcy. Because of the bankruptcy, they are told that they are sorry they lost all the money they have invested. It is not their fault. They gave the company everything they had.

Under the current law, workers' pensions are not protected, and executive and investment firms exploit the code to benefit from filing for bankruptcy. If you have never read anything about bankruptcy, read one case, Sears & Roebuck. If you want to find out the unraveling of America and what happens to 250,000 workers that gave their life to this company and how basically investors came in and raiders came in and took advantage of every person's pension plan, that is the one case you want to read, Sears & Roebuck.

That is why I am here today to introduce the American Miners Act as an amendment to the appropriations minibuss the Senate is voting on this week because it is imperative that we do it now. We cannot wait.

Since the majority leader won't allow the American Miners Act to come to the floor for a vote, which is his prerogative, my colleagues and I are here today to introduce the American Miners Act as an amendment to the appropriations minibuss that the Senate is planning to pass this week.

If we include the American Miners Act in the minibuss, we would protect coal miners' pensions now before it is too late, and we will protect other pensions from starting to unravel and the snowball effect. We will also protect the PBGC, which is a guarantee from the Federal Government. If not, all of this is going to come into fruition, which will be horrible for the workers of America, the most important of the economy in this country, and a lot of people will be hurt by that.

These coal miners and their families deserve peace of mind knowing that the pension they paid into paycheck after paycheck is secure. There are so many. Less than \$600 is the average check of a miner's retirement. Most of that is retired miners' widows. They have passed on from the hard work they did. The widows are still there trying to manage what they have, which is very small at times. This is just a stifling of what they need, and to take this away will be very detrimental to their lives, the quality of their lives, and the family.

We can give them that peace of mind today if we can agree, in a bipartisan way, to do the right thing for the people that made America, the working men and women, and especially the coal miners. They get up every day, they go to work, and they produce the energy.

And I will say this: When you think about a coal miner and what they have given and the families that committed and dedicated to live their lives in these coal communities, they basically never complained. They have done the heavy lifting. They mined the coal. They made these buildings and built the guns and ships. They built the factories that built the middle class. They have been there every step of the way from this great country of the United States of America to become the super power of the world, and we owe them at least to give them the money back they paid into it.

It is not your taxpayer money but the money they paid into it. Don't let somebody steal it. Wall Street doesn't have a right to that money, but they have taken it as if it was their own little treasure chest. It is just wrong.

We are introducing this amendment, and we hope that we have bipartisan support. I would appreciate it very much. I appreciate my dear friend from Pennsylvania, who has the same hard-working people.

It doesn't matter where your State is. If you have good, hard-working coal miners and they and their families have sacrificed for this country, they need a Senator such as Senator CASEY.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Pennsylvania.

Mr. CASEY. Madam President, I commend and salute the work of Senator MANCHIN, the senior Senator from West Virginia, for his work on behalf of American workers generally, but, in particular, his passionate advocacy and his hard work to make sure that we, in this body, the United States Senate, that we do everything we can to keep our promise.

I pick up from where he left off. As he has so often said when he came to this floor, as he did today, to talk about the people whose retirement security is on the line, this debate applies to a whole range of workers, but when you consider just coal miners and their families, who have given the country so much, I am reminded of a story from my home area, northeastern Pennsylvania.

We produce, in a few counties in northeastern Pennsylvania, the hard coal, anthracite coal. The great novel of Stephen Crane came to that region in the 1890s. He would go on to become famous for writing the novel, "The Red Badge of Courage." But Stephen Crane, when he was a young man—and he never made it to his 30th birthday, so he was an accomplished writer even as a young man—he wrote an essay about a coal mine in Scranton, my hometown in Lackawanna County.

In that essay, he described going into a coal mine and what he saw. At one point in the essay, he said that the mine was a place of inscrutable darkness, a soundless place of tangible loneliness. Then he went on to describe what the coal miners did—what really the children were doing, little boys in the mine and men in the mine. Then, at the end of the essay, he listed all the ways a miner could die in those mines in the 1890s.

Now, I know we made progress over the generations and over the decades, but even in modern times, coal mining has been very dangerous and very difficult work, work that I can't even begin to imagine. I never had to do it, but my ancestors did. These miners not only worked in those dangerous conditions and not only put their lives on the line to do that work, but they also did it with a sense of keeping their promise.

They made a promise to their employer that they would work hard every day, and they kept that promise. They made a promise to their families that they would work hard to provide a living for their families—in some cases, provide a living for several generations of their families—and they kept that promise. Some of them even made a promise to their country to serve in war all the way from World War I and all the way to our most recent conflicts. A lot of them died in Vietnam. A lot of them died in battlefields all over the world, in World War II and other conflicts.

They kept their promise to their country. They kept their promise to

their family and to their employer. All they have asked of us is to keep our promise. It is not hard to do it either. All you have got to do is put your hand up and say, "I support that bill," or "I support that amendment." It is not hard to do. It doesn't take a lot of floor time either to have these matters considered.

Now, what are we facing today? The bankruptcy filing of Murray Energy, which stems largely from competition from cheaper alternatives like natural gas and decline in exports. This could bring the pension and healthcare coverage for our coal miners to the very brink and to result in us not keeping our promise. Failure to act could result in devastating consequences for these coal miners in communities across Pennsylvania and West Virginia. We heard from the senior Senator from Virginia, Senator WARNER, and indeed all across the country.

Now, there is another bill that deals with pensions more generally, the Butch Lewis Act. Now, the House passed the Butch Lewis Pension Act—I am adding the word "Pension" into it. It is called the Butch Lewis Act. The House passed that 3 months ago, and the majority leader, Senator McCONNELL, has chosen not to have a vote on that bill. I don't understand that. I am not sure that there are many people that do, but I would hope—I would hope—that he would reconsider and have a vote on the Butch Lewis Act.

We should also have a vote on the American Miners Act, the legislation that Senator MANCHIN has worked so hard on. We know that in the House, as well, a bipartisan effort led by Chairman GRIJALVA and Chairman SCOTT, we know that the Health Benefits for Miners Act of 2019 and the Miners Pension Protection Act were voted out of the Natural Resources Committee last week by a voice vote.

So, in the House, they are doing voice votes to advance legislation to help these workers, to help miners, and here, there is not even a vote—voice vote, rollcall vote, any kind of vote. We are not asking for days of floor time. All we are asking for is a short time for debate, but mostly, we are just asking for a vote. That vote is real simple: Keep your promise. Keep our promise and the promise our country made to these miners and the promise that our employers make to workers every day of the week. There is still a lot of work to do on pensions generally, as outlined by some of these bills, but they have kept their promise over and over again. It is about time we kept our promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, first of all, I thank Senator CASEY because he comes from the same coal mining regions that I come from and the hard-working families and communities they have there. It is unbelievable the commitment and dedication these people have had their entire life

and the patriotism they have. Most of them have served. Most of them have been there. Most of them will always be there.

In 1946, this promise was summated by Congress and the President of the United States, and all they have said, up until that time there—my grandfather and all my family members working the mines—they had nothing. So if you ever heard that song, “I owe my soul to the company store,” they really did. There was never any money that transferred. They had scrip, and by the time they buy everything from the company store, their pay basically was eaten up. There was nothing left.

In 1946, they said there has got to be more, and that is when it came in. Truman was determined not to let this country fall into a recession or a depression after the war by keeping the mines working because we needed the energy for that. They have produced this energy in a patriotic way every time. If we can’t even keep our promise to them through an act of Congress, then God help us all. That is what we are here to ask for.

We implore all of our friends—the Senator from Wyoming is here now, and he comes from a coal mining region. We are asking everyone just to help us do the right thing for the working people who built this country. That is what our request is, and it has to be done this week; if not, I guarantee you this problem is going to grow much larger much quicker and more than anybody wants to bite off and chew. I ask all my colleagues to please help us get this miners act to the floor. We can take care of this pension and keep other pensions from tumbling behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

S.J. RES. 52

Mr. BARRASSO. Madam President, I come to the floor today to once again discuss healthcare in America and, specifically, to oppose S.J. Res. 52, which is the latest congressional disapproval resolution.

What is happening here is that the Democrats are trying to block the efforts Republicans are making to actually lower the cost of health insurance. We are working on ways to lower the cost of health insurance for American families, and the Democrats are trying to block it.

Let me explain. People certainly understand that after the Obama healthcare law was passed, healthcare insurance premiums all across the country went way up. I strongly oppose the passage of this resolution, and I strongly opposed the passage of this law, which many of the Democrats running for President are now willing to admit has failed.

It is interesting that the Democrats now just say: Scrap the whole thing, and go with a one-size-fits-all, government-run healthcare program in which people will pay more to wait longer for worse care.

Ironically, it is the Republicans who, today, are delivering on so many of the Democrats’ empty promises about ObamaCare because Republicans are actually doing things to lower the cost of care and the cost of health insurance for American families.

I like to think of Republicans as EMTs arriving on the scene of the ObamaCare train wreck. We didn’t cause the accident. We are trying to help the victims, and the victims live in States all across this country. For nearly 3 years, Republicans have tried to treat the victims of ObamaCare and tried to help people who have been hit by skyrocketing health insurance premiums.

Last week we saw a major breakthrough. For the second year in a row, on average, we saw insurance premiums on the ObamaCare exchanges actually come down. They have actually come down. Well, it is very welcome news for people who have to pay these premiums. Yet, what we see is that the 2020 Democratic candidates, when you listen to them, don’t seem to be concerned about lowering the costs. They are too busy pushing this astronomically expensive \$34 trillion Medicare for All health insurance healthcare scheme—one that by Republicans and Democrats alike has been called a pipe dream.

To put the cost into perspective, this total dollar figure has been estimated by people on the Republican side of the aisle, the Democratic side of the aisle, folks who looked at what promises are being made, and all have come to the conclusion that the cost will be greater than what we spend right now in this country on Medicare, Medicaid, and Social Security combined. Add it all up, and it does not even reach the point of what the Bernie Sanders-Elizabeth Warren Medicare for All plan would cost.

Interestingly, when taking a look at the proposal, they actually want to take away from the American people—the 180 million people who have earned health insurance through work—they want to take that away from 180 million Americans and put them all on a one-size-fits-all, government-run program. Even union workers, who, as part of their contract negotiations, negotiated the health insurance they want, would lose their hard-fought healthcare benefits if it were ever to become law.

We see Democrats backing what I believe is a very foolish resolution of disapproval. They are attacking part of President Obama’s healthcare law. We are talking about ObamaCare section 1332. This section of the law helps give States more flexibility. The Presiding Officer’s State and mine like to have flexibility to provide better coverage and to bring premium costs down.

We need to set the record straight on one key point. Section 1332 never can be used to waive protections for the American people, such as for people with preexisting conditions. They can never waive those. It is not happening.

My wife is a breast cancer survivor. She has had three operations, chemotherapy twice, and dozens of radiation treatments. I know, as a doctor and as a husband, how important it is for patients to have protections of their preexisting conditions. Republicans remain 100 percent committed to protecting people with preexisting conditions. We will protect them today, tomorrow, and always.

The House Energy and Commerce Committee Chairman, GREG WALDEN, asked the Centers for Medicare and Medicaid Services for clarification regarding this section 1332. Administrator Seema Verma responded: “To be very clear, the 2018 guidance does nothing to erode the [healthcare law’s] preexisting condition provisions, which cannot be waived under section 1332.”

Madam President, I ask unanimous consent that the full text of the CMS Administrator’s letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH & HUMAN SERVICES, CENTERS FOR MEDICARE & MEDICAID SERVICES

Hon. GREG WALDEN,

Ranking Member, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WALDEN: Thank you for your continued interest in new state flexibility available under guidance recently issued interpreting section 1332 of the Patient Protection and Affordable Care Act (PPACA) (the 2018 guidance). Working within the limitations of the PPACA, this 2018 guidance is an important element of the Administration’s actions to expand options and lower costs for patients around the country. I wanted to take this opportunity to set the record straight and reaffirm this Administration’s commitment to lowering healthcare costs, increasing consumer choices, and protecting our most vulnerable citizens, including those who have pre-existing conditions.

To be very clear, the 2018 guidance does nothing to erode the PPACA’s pre-existing condition provisions, which cannot be waived under section 1332. Section 1332 does not permit states to waive Public Health Service Act requirements such as guaranteed availability and renewability of health insurance, the prohibition on using health status to vary premiums, and the prohibition on pre-existing conditions exclusions. Furthermore, a section 1332 waiver cannot be approved that might otherwise undermine these requirements. This Administration stands committed to protecting people with pre-existing conditions.

Under the PPACA, we have seen dramatically higher premiums and decreased options for millions of consumers, in large part due to the law’s overly prescriptive mandates and excessive Federal government takeover of areas traditionally under state oversight. In 2019, the average monthly premium for a benchmark plan for a family of four on HealthCare.gov is now over \$1,500, which can easily exceed a family’s mortgage. There are many areas of the country with far higher monthly premiums. For example, a 60-year-old couple living in Grand Island, Nebraska, making \$70,000 a year, will need to pay over \$3,000 per month for the lowest cost silver plan available. That’s almost \$38,000 per year for a plan with an 11,100 deductible. That’s over half their income.

For millions of Americans, coverage this expensive is not a realistic option, and many choose to go without coverage at all. In fact, after average premiums rose by 21 percent, 1.3 million unsubsidized people walked away from the market in 2017 last year the prior administration oversaw open enrollment. While these higher premiums force some people to go uninsured, coverage is generally not optional for people with a pre-existing condition and so, without a subsidy, someone with a pre-existing condition must face the full burden of the PPACA's skyhigh premiums. This Administration has not forgotten the people facing this hardship.

Section 1332 of the PPACA provides the discretion to approve a section 1332 state waiver plan if the following four statutory guardrails are met: affordability, comprehensiveness, coverage, and federal deficit neutrality. Section 1332 allows states to develop new healthcare programs and solutions that would be not permissible without a section 1332 waiver.

Unfortunately, guidance issued under the prior Administration in December 2015 (the 2015 guidance) regarding section 1332 waivers had the effect of significantly restricting the innovation states could pursue. The prior Administration imposed a one-size-fits-all approach to these waivers, making it difficult for states to address the specific needs of their residents.

In October, the Administration issued guidance under section 1332 of the PPACA to provide states with significant opportunities to chart a different course for their markets through expanded flexibility. Section 1332 and the 2018 guidance ensure that consumers who wish to retain coverage similar to that provided under the PPACA can do so, but they empower states to take steps to stabilize their markets and allow more affordable coverage options that may be more attractive to individuals and families priced out of the current market, including people with pre-existing conditions.

Over the past two years, this Administration has approved seven section 1332 waivers authorizing reinsurance programs to help fund claims for people with high healthcare costs. These reinsurance programs provide much needed premium relief for people in the market and, in particular, for people with pre-existing conditions without other coverage options. These section 1332 waivers were all approved under the prior, more restrictive 2015 guidance. I believe, given the expanded flexibility discussed in the 2018 guidance, states will be able to develop additional healthcare programs and solutions that work for their residents.

As you know, some have criticized the state flexibility offered under the 2018 guidance, claiming that states will pursue section 1332 waivers that undermine their own individual market risk pools and make coverage more expensive for their own residents with pre-existing conditions. Again, I want to make clear that a section 1332 waiver cannot undermine coverage for people with pre-existing conditions. Moreover, any section 1332 waiver will need to carefully account for any impact on the individual market risk pool and guarantee that access to coverage is at least as comprehensive and affordable as would exist without the waiver.

So, if a state seeks to pursue the use of more affordable options, such as catastrophic plans or short-term limited duration plans, under a section 1332 state waiver plan, the state must ensure access to coverage that is overall as affordable and comprehensive for people who remain in the individual market risk pool.

Thank you again for your shared interest in bringing down healthcare costs and protecting our fellow Americans with pre-exist-

ing conditions. We remain focused on improving our nation's health care system by empowering states to innovate and develop new solutions to expand access to affordable and high value coverage options, and we look forward to working with you to achieve these goals. Should you have questions, please contact the CMS Office of Legislation.

Sincerely,

SEEMA VERMA.

Mr. BARRASSO. Madam President, the letter proves that all patients will be protected. Section 1332 simply gives States some leeway—a little wiggle room for following the law and how to use and apply the law best in their own States.

All State waivers must meet the following conditions: They must provide coverage at least as broad as is currently offered under the healthcare law; they must provide coverage and cost-sharing at least as affordable as under the healthcare law; they must provide coverage to at least as many people as under the healthcare law; and they must not increase the Federal deficit.

The section 1332 waivers leave protections for preexisting conditions unharmed. They are not just popular with Republican Governors. It is interesting that the people applying for these 1332 waivers are Democratic Governors from around the country. They are at odds with what the Democrats in the Senate are trying to do. They are pursuing waivers. They are asking the Trump administration for waivers for their States as well. Why would these Democratic Governors come to the Trump administration and ask for waivers? It is because they work. The reason the Democratic Governors are coming to the Trump administration asking for waivers is that they work. In fact, a number of States are using these waivers today to help lower the cost of health insurance.

Let's look at the States whose section 1332 waivers have been approved since the Trump administration guidance was issued. Let's look at just the States that have applied for waivers since the new Trump administration guidance was issued. Again, these waivers were approved using the very same guidance that the Democrats in the Senate now want to have repealed.

It is astonishing. The States with 1332 waivers since the Trump administration came out with its guidance are Colorado, Delaware, Montana, North Dakota, and Rhode Island. Nearly all have Democratic Governors—four out of the five do—and have Democratic Senators in many cases or they have both.

Take a look at what has happened for the proposed premiums for 2020—what they are expected to be in States under the leadership of Democratic Governors who have asked for and have been granted waivers from the Trump administration and what the impact is on insurance premiums in these States. In Colorado, with a Democratic Governor and one Democratic Senator, the rates are going to fall this next year by

about 16 percent. In Delaware, with a Democratic Governor and two Democratic Senators, the rates will fall about 13 percent. In Montana, with one Democratic Governor and one Democratic Senator, rates will fall by 8 percent. In Rhode Island, with a Democratic Governor and two Democratic Senators, rates will fall by about 6 percent.

So in State after State where Democratic Governors applied for and were granted a waiver, they have seen rates go down. Yet Democratic Senators on the other side of the aisle are offering a resolution to remove these waivers, to remove the guidance from the Trump administration that is resulting in rates of insurance and the costs going down.

Of course we need to fix healthcare in this country, but we need to take a scalpel to our healthcare problems, not a meat cleaver, which is what we see the Democrats doing.

The Obama healthcare law was a train wreck. Republicans opposed it all the way. We are still treating the victims of this wreck, and we want to help them for years into the future by changing and coming out with guidance that will make it easier and give flexibility to the States, whether their legislature is Republican or Democratic, to help lower the high cost of ObamaCare insurance.

I find it outrageous that Senate Democrats are wasting precious healthcare debate time. They should be working with us to find solutions to lower the cost of care, to lower the cost of prescription drugs, to provide more accountability and more transparency so that patients can make more informed decisions.

Even as we address this issue and vote on this joint resolution tomorrow, it is time to really take a look at what the Democrats are saying in the Senate as opposed to what the Democrats who are in the statehouses are doing across the country.

I say, let's make sure the States can keep the relief they are asking for and are getting by rejecting what the Democrats in the Senate are proposing. Let's keep working to give patients what they need, which is the care they need from a doctor they choose at lower costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Ms. SINEMA. Madam President, I rise today to address one of the biggest concerns facing everyday families in Arizona: making healthcare more affordable and maintaining critical healthcare protections.

Sometimes the issues discussed on the Senate floor appear far removed from the concerns of everyday Americans, but not today. Today's debate focuses the Senate's attention on the most important issue for many Arizonans and offers elected officials the opportunity to reject partisan political games in favor of commonsense solutions.

Not long ago, insurance companies were allowed to deny care or overcharge Americans based on the fact that those Americans had been sick before or had been born with a chronic condition.

Arizonans who had been previously treated for skin cancer or diabetes were told that no insurance company would cover them or that the insurance plans they purchased would not cover their preexisting conditions, despite promises of comprehensive coverage. Beyond major illnesses, Arizonans with even common conditions, such as high blood pressure, high cholesterol, asthma, and even acne, were denied the coverage they needed. Until recently, insurance companies had also been allowed to charge consumers high prices for insurance plans only to leave out coverage for essential health benefits that virtually all Americans eventually need, such as prescription drug costs, ambulance costs, and hospital stays—critical needs that consumers rightly expect will be covered.

Insurance is supposed to be there when people need it. Hard-working Americans who play by the rules and pay their monthly premiums shouldn't have the rug pulled out from under them at the very moment they need healthcare. That is why such discrimination against people with preexisting health conditions is now banned and why health insurance plans are now required to cover essential health benefits. That is why it is so disturbing that the administration and some Members of Congress have begun moving backward, allowing insurance companies to again sell plans to Americans that lack the very health protections consumers need.

Congress has a lot of work to do to make healthcare affordable and protect access for American families and businesses, from lowering premiums to stopping surprise medical billing, but partisan approaches will not solve these challenges. We can and must work across the aisle to pass bipartisan solutions, such as increasing the number of doctors to address provider shortages, lowering costs for home health services, expanding mental healthcare, and eliminating the health insurance tax.

I have partnered with colleagues on both sides of the aisle to sponsor legislation that achieves these goals, but allowing insurance companies to return to their old practices will only hurt everyday Arizona families. These health plans lack key protections. They are often called junk plans and for good reason. Junk plans mislead Arizonans—selling something billed as health insurance when, in fact, it is better described as a bill of goods. When Arizonans who are sold these plans need to actually use the coverage they paid for, the rug gets pulled out from under them yet again.

I hear from hard-working Arizonans on a daily basis who deserve access to critical health protections; Arizonans

like Chantal, who has a preexisting autoimmune disease that without treatment would cause her to become blind; Arizonans like Corrine from Phoenix, whose daughter was born with a congenital heart condition—before the law protected people with preexisting conditions, Corrine's family was unable to find an insurer who would cover their family—and Arizonans like John from Casa Grande, who signed up for a plan that he was told covered preexisting conditions only to find out after he paid his first month's premium, that his particular preexisting condition wouldn't qualify for coverage.

There are 2.8 million Arizonans under the age of 65 just like Chantal, Corrine, and John who live with preexisting health conditions. That is half of all nonelderly Arizonans whose healthcare is at risk. These Arizonans remind us exactly what is at stake and exactly what is wrong with partisan politics in Washington today. For too long, too many elected officials here have focused on how they can score political points to help them win the next election, all at the expense of the health and security of everyday families.

Arizonans are rightly worried that the dysfunction and chaos they see coming from Washington could threaten their family's coverage, and that is unacceptable.

It is time to get partisan politics out of Arizonans' healthcare. I call on both parties to quit the partisan games, come together, and stop the sale of junk plans that fail to protect people with preexisting conditions. We must protect access to healthcare for these millions of Arizonans and tens of millions of Americans, and we must make healthcare more affordable for everyday families.

I urge my colleagues to vote yes on S.J. Res. 52.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### IMPEACHMENT

Mr. COONS. Madam President, I come to the floor as a proud Member of this Chamber of the Senate and as someone who believes earnestly in our role in our country's constitutional order. I am on the floor because a real and significant challenge to this body and each of our Members is potentially in the very near future.

Right now, the House of Representatives is holding an impeachment inquiry, focused on grave and significant charges against our President related to the very threats to our democracy of foreign interference that our Founders feared the most. I am not here to argue over whether President Trump's actions deserve impeachment or perhaps even removal from office. It is, I think, inappropriate to reach that point. Instead, I am here today, as the inquiry proceeds in the House, to urge my colleagues in the Senate—Republicans, Independents, and Democrats—to take seriously the moment we are in and the

tests we may have soon ahead as a Senate when we will need to uphold and defend the role of this institution.

I am on the floor to issue a challenge to all of my colleagues. If an impeachment trial does take place in the Senate, all of us must decide to approach it as Americans—less as people representing any parochial or partisan or particular interest, less as Democrats or Republicans or Independents, and instead as Senators. If we are called to serve as jurors in an impeachment trial, all of us must show our Nation and the world that this body—that this institution—has not been completely overtaken by the divisive political era in which we live. Nothing less than the Senate's very legitimacy will be at stake.

Our Founders warned about the challenge of this moment. They warned specifically that foreign powers improperly influencing our American Government were, in the words of Alexander Hamilton, “the most deadly adversaries of republican government.” This is why our Constitution entrusts Congress with the enormous power of potential removal through impeachment.

James Madison called impeachment “indispensable . . . for defending the Community [against] the incapacity, negligence or perfidy of the chief Magistrate”—a reference to the President. Alexander Hamilton argued that the Senate was the proper body to hold an impeachment trial. The Founders entrusted us to protect our country from “the misconduct of public men” and “the abuse or violation of some public trust.”

George Mason put forward the precise language that appears in our Constitution, the language of “high crimes and misdemeanors” and urged that impeachment must be a remedy to remove even a President, asking: “Shall any man be above Justice?” Our Founders insisted that no one—no one—in our Nation, in our constitutional order, not even our President, is above the law. This fundamental principle remains the very linchpin of our government.

Based on what we know today from press reports about the President's actions and from notes of a conversation, I believe it is critical that the House conduct a thorough impeachment inquiry. If the House does vote impeachment articles, Members of the Senate will have to live up to the responsibilities which the Framers of our Nation entrusted to us. The eyes of history will be upon us.

Let me be clear. I am not saying that if the House should vote articles of impeachment, it will be the Senate's duty to vote to remove him. It will be, instead, the responsibility of every single Senator to carry out their duty to serve as impartial jurors with their principle focus—their oath—to uphold and defend the Constitution and nothing else informing our decisions.



This is a challenge to all of my colleagues. Both Republicans and Democrats must appreciate the gravity of this process as we call on our colleagues to do the same. Democrats, equally with Republicans, must not allow our vigorous disagreements with this President and our colleagues to influence our judgment and cloud it. We have to understand that this process—this likely future moment—is far more important than our own individual political fortunes. An impeachment trial of a President would be a true test of the integrity and capabilities of the Senate—our commitment to follow the facts, to consider the evidence, and to apply the rule of law. It will be a test that we, as a body, cannot afford to fail.

It is important to begin the process of establishing what that process might look like as soon as there are impeachment articles, if that is the direction the House takes. The basic rules are clear as stated in the Constitution: The House is given the “sole power of impeachment,” and the Senate “the sole power to try,” as jury, “all impeachments.” If the House votes to impeach, the Senate must conduct a trial and either convict by two-thirds or acquit on whatever counts are presented.

At that trial, the Chief Justice of the U.S. Supreme Court will preside; the House managers will present the case; the President’s counsel presents his defense; and the Senators serve as the jury. The manner in which our leaders, Leader McCONNELL and Leader SCHUMER, direct the Senate in the event of a trial will be the most important test in a generation of whether our Senate remains capable of enforcing the law, living up to the Constitution, and upholding the responsibilities our Founders bestowed upon us.

I will remind you of the opening vote in the Senate of the impeachment trial for President Clinton. The vote that set the rules under which that trial would proceed was unanimous. It was 100 to 0. An impeachment trial, should it come in the near future here, must not be gamed or politicized or subjected to brinksmanship, and any trial should be governed by rules that are passed on a broad and bipartisan basis, animated by justice over partisanship.

In many ways, an impeachment trial would mean that our institution of the Senate would itself also be on trial. We as a body need to show the American people and the world that we are more than just 100 elected politicians who have been brought here by partisan whim or by a bare majority of our States but, instead, by a body whose sum is much more than its individual parts. We must act as stewards together for our democracy. History is watching us, all of us—Democrats, Independents, Republicans. How we respond will shape and impact our Senate and our Nation for years to come.

In the days, weeks, or months to come, I hope my colleagues will rise to

the challenges we face, deliberate with an eye toward history, an ear toward our constituents, and a heart focused on our Constitution, and prove that, in this body, we answer to the Constitution, not to any particular or partisan loyalty to our President or to any other elected official. The health of our very institutions and of democracy itself is at stake.

#### REMEMBERING SONIA SCHORR SLOAN

Madam President, in my home State of Delaware, we have just lost a dear friend and a remarkable leader.

Sonia Schorr Sloan was a force of nature. “Sonny,” as we affectionately called her, dedicated her life to confronting social injustices, and her activism, her philanthropy, her mentorship, and her public service made my home State of Delaware a better place for everyone. So I rise to celebrate and honor her work, her spirit, and her impact on so many of us.

Her story began on April 1, 1928. She was born in Wilmington, DE, to parents Sigmund and Rosalia Schorr. Sigmund Schorr was a well-known Wilmingtonian haberdasher, who was elected to the Delaware General Assembly and later served for many years as president of the New Castle County Board of Elections. Rosalia, her mother, worked as a public schoolteacher and was very active with community and civic groups, like the Young Women’s Hebrew Association and the Gardeners Guild of the Arden Club. Sonny credited her parents for raising her in an atmosphere of active community involvement.

Throughout her life, she was exceptionally bright and gifted. As an honors graduate of Wilmington High School, she pursued a bachelor’s degree in bacteriology and graduated magna cum laude from Syracuse University in 1949. She was accepted to Jefferson Medical College in Philadelphia, where she earned her master’s degree in microbiology. She was the very first woman to graduate from Jefferson in its 125-year history and was the first student to complete graduate work there. After teaching several years at Temple University School of Medicine, she became the very first woman hired by DuPont to work in the prestigious central research department in Wilmington, which is where many great inventions were made.

While at DuPont, she got involved with the Young Democrats and met fellow scientist Gilbert Jacob Sloan of nearby Fairfax. Sonny and Gil, who were, frankly, inseparable for the rest of their lives, fell in love. A few years later, they were married at Temple Beth Emeth on Memorial Day of 1957. Together, they raised two wonderful sons, Victor and Jonathan.

During this period, Sonny became more and more involved with local community groups and political organizations. Sonny’s commitment to public service was a hallmark of her life. She was a skilled and forceful advocate, a tireless campaign organizer,

and a relentless fundraiser for community groups and campaigns alike. Whether it seemed doable or not, when she saw a need, she would fill it.

When people felt like Delaware needed a more active advocacy organization or they were concerned about civil liberties and civil justice and civil rights, Sonny and others founded and launched the Delaware Chapter of the ACLU. When she became increasingly concerned about the restrictions on access to reproductive rights, she launched and ran a capital campaign to build a brandnew facility for Planned Parenthood of Delaware. She was involved in the creation and launch of an AmeriCorps program, Public Allies of Delaware, and the Cancer Support Community of Delaware. She was involved in so many different civic and community organizations and in so many campaigns that they are more than I could relate in my time on the floor.

Her legacy of service to our State, which began more than 60 years ago, steadily grew over the next 50, 60 years. She eventually formed her own fundraising firm, and according to Sonny, it raised over \$100 million for various nonprofits and agencies. She was able to pick and choose the causes she championed and didn’t do anything for which she lacked passion. Her work touched our whole community, from the Food Bank of Delaware and the West End Neighborhood House to the YWCA of Delaware and the Delaware College of Art and Design.

Besides supporting these many causes, Sonny invested in the people in whom she believed. She was a mentor from the very first days of when a young, then-29-year-old Joe Biden launched his campaign first for county council and then for the U.S. Senate, and she played a central role in Joe Biden’s first election in 1972 to this body. Sonia Sloan mentored countless other people and dozens of other elected officials, not just my predecessor and the Vice President. She was a mentor to this young candidate as well when I first ran for office.

Equally, if not more importantly, she was a tireless and engaged mentor for folks no one has heard of—folks not elected but folks in need. She was a mentor for a young man who had just been released from our local juvenile detention center. Sonny helped him get a State identification card, helped him get a new job, and helped him get a new bicycle—a reliable means of transportation. She helped him, mentored him, and supported him until he was able to get back on his feet.

She recorded books for the blind. At one point, she even agreed to put up the deed of her own home to bail out a Vietnam war protester from jail. These were the sorts of things Sonny did that many have never heard of.

She won too many awards in our State to name, but she was inducted into the Hall of Fame of Delaware Women. Yet she wasn’t the sort of person to hold up these accomplishments.



Aside from her civic engagements, she loved to run and was often seen jogging around Rockford Park, which is near my home. She adored cooking for her family; she collected stamps; she could play the flute and piano; and she loved to read.

Upon learning that Sonny had passed away at age 91, one friend remarked that Sonny still had so many stories to share and so much energy and passion to give.

Another friend called her a beacon of light and a pillar of courage whose light will shine for many years to come.

She never stopped taking a chance on young candidates and on first-time candidates.

A friend of mine, recently elected State Senator Laura Sturgeon, said: Sonny Sloan took a chance on me, even though I had no political experience, name recognition, or resources. Once people heard she was in my corner, endorsements and support poured in. I am who I am because of my parents, but I am where I am, representing the Fourth District in the State Senate, because of Sonia Sloan.

It is clear that she accomplished many firsts, broke many barriers, and paved endless paths for many people. She had strong and passionate feelings about countless issues, but the empowerment of women, the election of women to office, and the advancement of women in our society was absolutely at the forefront.

As she so often said, “Women’s issues are not just women’s issues; they are everybody’s issues.”

One of the last times I got to see Sonny was at a dinner in her honor in March of this year. It was there that I joined hundreds of friends and neighbors to recognize her legacy of service, from her efforts to end the Vietnam war to her advocacy for women’s rights. She lived her life committed to a deep belief she shared with many of us—to focus on what you can do to change just one life for the better because, as the Talmud teaches, when you change one life, you can change the world. Sonny did that thousands of times.

She was tough and determined, funny and smart. She never hesitated to offer very direct input to those of us she knew needed correction or direction, but she could equally offer compelling and comforting advice. She has been and will continue to be that voice of conscience inside my head, challenging me not to settle for the easy but to push for what seems difficult or even impossible.

Her dedication for fighting for justice was rivaled only by her tireless love for Gil, Victor, Jonathan, her five granddaughters, and five great-grandchildren. She was the best of what we are as Delawareans. Her sharp intelligence, her fierce resolve, and her unwavering dedication to people and causes will be impossible to replace.

So, to Sonny, I wish to say: We will all miss you—family, friends, neigh-

bors, and the thousands whose lives you have touched. You have affected the lives of countless Delawareans. I am truly grateful to have known you and to have been a part of your work to make our State and our world a better place. You will forever have my deepest thanks.

Back in October of 1969, in concluding an anti-war rally, Sonia read a Jewish prayer with some touching and, I think, fitting final words:

Bless our country, that it may always be a stronghold of peace, and its advocate among the nations. May contentment reign within its border, health and happiness within its homes. Strengthen the bonds of friendship among the inhabitants of all lands, and may the love of Your name hallow every home and every heart.

These are touching and fitting words.

Sonny, bless you and thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

H.R. 3055

Mr. GARDNER. Madam President, I come to the floor to talk about several amendments I am working on in relation to the Commerce, Justice, Science, and Related Agencies; the Agriculture; the Interior and Environment, and Related Agencies; and the Transportation, Housing and Urban Development, and Related Agencies appropriations bills that this body will be working on shortly.

The first amendment I am offering to the legislation addresses a very serious issue; that being the rising scourge of methamphetamine around the country.

Methamphetamine—meth—use is something we talked a lot about a decade ago. Conversations turned to opioid abuse in this country—and rightfully so—and focused on opioids, but unfortunately meth use is now increasing dramatically in States like Colorado as we continue to address the opioid epidemic.

When I traveled across Colorado over the summer and last week and through the August work period, I heard from rural sheriffs across the State who were especially concerned about the severe impact that meth was having on our small communities. Headlines this summer and as recently as this week talked about the increase in meth use across Colorado and the country.

From 2011 to 2018, treatment admissions for meth across Colorado increased by nearly 40 percent. In 2018, 318 people died in Colorado from meth overdoses. That is a 750-percent increase over 10 years. From 1999 to 2018, there has been a 1,450-percent increase in meth deaths in Denver alone. In 2018, which was just last year, the Denver Police made nearly 1,500 meth-related arrests. Indeed, there were more meth arrests in Denver than there were arrests for heroin and cocaine combined.

Meth causes property damage. It damages our families. It can cause, certainly, permanent damage to the individual who is using meth, and it causes

tremendous harm to families. In Utah, just in August, nearly \$2.2 million worth of methamphetamine was confiscated—seized—in the State of Utah that was heading to Colorado. That \$2.2 million was enough meth to provide 1.1 million individual doses in Colorado. It was on its way, and it would have done great harm.

I have introduced an amendment that would add \$1 million to the COPS Anti-Methamphetamine Program. This \$1 million increase would allow one more fully funded grant to go to an area, to a State, to a drug program to help reduce and to break up this cycle of meth.

We have heard from the people in Colorado. We have heard from the sheriffs. We have heard from our communities to do more. I believe this amendment does more to help to address the epidemic of meth and the lives it is shattering in Colorado, and I hope my colleagues will be able to support this issue.

In particular, I thank Senator DAINES, Senator TESTER, Senator GILLIBRAND, Senator BALDWIN, and Senator JONES, who have all joined me in adding \$1 million, fully paid for and offset within the bill, in order to help combat this epidemic of meth in our country and certainly in our States like Colorado.

Another amendment I have been working on is the bulletproof vest amendment. We have seen far too many attacks on our law enforcement over the past several years. This legislation would provide a \$1.1 billion fund for our Nation’s law enforcement officers with type 3 bulletproof vests. These vests are capable of stopping more powerful rifle ballistics and, therefore, would allow more officers to come home at the end of the day from their service. That is what we need to be focusing on—how to protect the men and women in blue in our communities.

I am proud to have joined legislation earlier this year that has been signed into law that permanently reauthorizes the Bulletproof Vest Partnership Grant Program, and I hope we continue to build and offer our support to those who defend that thin blue line.

The crown jewel of our conservation programs, the Land and Water Conservation Fund, has benefited Colorado and this country so significantly over the past several decades. It is something that has affected every State in the country in our being able to preserve and protect some of our most pristine environments across this great land. Last spring, we were able to work together in a bipartisan effort to permanently authorize the Land and Water Conservation Fund.

This legislation, which is the amendment I will be offering to the bill, would fully fund the Land and Water Conservation Fund. So, while we have done a great thing in permanently authorizing the Land and Water Conservation Fund, we need to fully fund the Land and Water Conservation

Fund. This amendment would do just that and fully fund the Land and Water Conservation Fund.

Why is this important?

The outdoor economy, that of protecting our public lands, is so critical to the State of Colorado. The outdoor economy alone in Colorado generates \$28 billion in consumer spending and \$2 billion in State and local tax revenue. It employs close to 230,000 people just in Colorado alone, which makes Colorado the year-round destination for visitors. If you are interested in skiing, there are already 40 inches of snow in Summit County, and several ski resorts have opened up already. It is snowing right now in Colorado, so this amendment is all the more important as people look to our State for the continued enjoyment of the great outdoors.

I have a bipartisan amendment with seven of my colleagues—Senators BENNET, DAINES, TESTER, BURR, HEINRICH, COLLINS, and SHAHEEN—that will fully fund the Land and Water Conservation Fund for fiscal year 2020, and I hope this Chamber will support the legislation.

I am also working on an amendment that will address the ski area fees that our ski resorts pay to the Federal Government in order to operate on public lands and have their ski runs on public lands. Many times, the ski resorts, the ski areas, are the largest employers in our mountain communities and contribute significantly to the economy and to the health and stability of our local communities.

There are 122 of our ski areas that operate on National Forest System lands. They generate, roughly, \$37 million in rental fees for the Treasury. Yet staffing levels for those very recreation programs are 40-percent lower than they were in the year 2000. Just as more and more people are enjoying our public lands, we see fewer and fewer people who are employed by the Federal Government to deal with those public lands, to process the permitting needs, and to address the needs of our public lands.

Fire borrowing has been an issue that has gobbled up some of the funding that has helped manage our forests. We have put a bipartisan fix in place that will no longer allow that money to be gobbled up, but we need to find a solution as to the ski area fee retention as well so we can allow that money to stay within the forest in which it is generated.

Now that we have the fire borrowing fix, we can put the ski area fee bill in place and have even more dollars returned to the forest from which those fees are generated so we can address the staffing issues and other complex issues we face in our national forests. This bill alone would allow a portion of that \$37 million to be returned to the forests from which they were generated. That means more timely permit application processing at the Forest Service and better customer service

from those in the ski areas that are trying to accommodate even more and more people who visit our great ski areas.

I am also working on an amendment to the legislation that deals with RTD, which is our public transit system in Denver, and the Front Range.

Years ago, the Department of Transportation was working on an effort that refunded some programs in Colorado. The RTD, more than 20 years early, had basically paid off the loan on one of these projects. The RTD was told it would be reimbursed by the Department of Transportation if it paid this off. Unfortunately, even though it has paid it off early, it has not been reimbursed.

If you look at the effort and the project it accomplished with this loan, the Denver Union Station project is one of the highlights of urban renewal in the country. The RTD got the loan successfully paid off early—a great success. Now it needs that money back in order to continue investing in Colorado. I am working with Senator BENNET to make sure this money gets back to Colorado, which is one of the amendments we have filed.

Mr. GARDNER. The National Institute of Standards and Technology is one of the Nation's premier research agencies in the Federal Government. Colorado is lucky to house the second-largest contingent of NIST staff in Boulder, where they work on issues like telecommunications, biosciences, forensics, and quantum information science and technology.

NIST's Boulder campus, and their affiliated NIST/JILA partnership, has won three Nobel Prizes and three National Medals of Science. These pre-eminent experts were charged with continuing to build on the successes in the National Quantum Initiative Act, which passed into law just this last Congress.

But in order to remain competitive globally, competing against countries like China, the United States has to continue its robust investments in science and research and development, and that is going to require investing in our science facilities as well.

When I was able to travel to the NIST facilities in Boulder, I witnessed a trash can and giant trash bag used to collect rainwater from a leaky roof. Nobel scientists—prize-winning scientists working there. It is harmful to think that it is okay for this great country to have Nobel Prize-winning scientists working in a facility that can't even keep them dry because the roof leaks.

While I am grateful to the Appropriation Committee's attention to increasing the construction and facilities budget for NIST in recent years, we have a lot more work to do. That is why, in light of the National Quantum Initiative, I introduced an amendment to the Appropriations bill to provide an additional \$161 million for construction and renovation costs for NIST projects.

In partnering with universities, like the University of Colorado at Boulder, NIST can continue to expand their work on issues like quantum in renovated and new state-of-the-art research facilities. That benefits the United States and will retain and grow our competitive advantage around the globe.

Another issue that I continue to hear about in Colorado, that we were able to address through the appropriations package before us, is affordable housing. It is an urban issue; it is something that you face in Boulder or Denver or Colorado Springs. But it is an issue that I hear in some of the smallest communities, as well as the biggest communities.

So Senator YOUNG and I have been working on an amendment that deals with affordable housing. We know we have a relationship between the lack of affordable housing and issues relating to health, education, nutrition, and job outcomes. And those issues, combined with homelessness and lack of affordable housing, combine with other issues to create strains on government and other social services.

The amendment we have offered will help us better understand those challenges and the root causes of and lack of affordable housing, and help us understand the effects of the affordable housing crisis on health and education and employment as well.

It will help us to understand what work we need to do to solve the problem or whether there are smaller programs that are already working to expand, to help, do even more good.

These are a number of bills related to the great State of Colorado, and in this country and I think will do a lot of good, and as we process these appropriations bills in a bipartisan fashion, we will be able to improve and help in addressing some major issues.

With that, Madam President, I yield the floor.

#### HEALTH INSURANCE PLANS

Mr. CARDIN. Madam President, today I wish to discuss this administration's perpetual actions to weaken protections for people with preexisting conditions.

Last fall, the administration issued guidance for the Patient Protection and Affordable Care Act—ACA—that would loosen the statutory guardrails for 1332 State waivers. The guidance encourages states to increase access to ACA non-compliant coverage.

The actions of the administration cannot make this message any clearer: President Trump does not support protections for people with pre-existing conditions.

Because of the ACA, health insurance companies cannot refuse to cover someone or charge someone more just because they have a preexisting condition. Among the most common pre-existing conditions are high blood pressure, behavioral health disorders, high cholesterol, asthma/chronic lung disease, heart conditions, diabetes, and cancer.

In 2017, HHS released a report stating that as many as 133 million non-elderly Americans have a preexisting condition. The Maryland Health Benefit Exchange estimates that there are approximately 2.5 million nonelderly Marylanders with a preexisting condition, 320,000 of which are children.

Unfortunately, the Trump administration is taking actions that directly threaten these 133 million Americans, actions, which can lead to them being denied access to healthcare.

The Trump administration's updated guidance on section 1332 waivers skirts the intention of the law. Originally section 1332 of the ACA provided States with the flexibility to test new health coverage programs, as long as innovation waivers met certain criteria. States applying for 1332 waivers had to show that their proposal provided residents with health coverage with at least the same level of protections guaranteed by the ACA, that was at least as affordable, and covered at least a comparable number of State residents as currently covered under the ACA.

For example, Maryland was able to use a 1332 waiver to establish a State reinsurance program, which lowered insurance premiums by as much as 22 percent from 2018 premiums.

However, the Trump administration has issued guidance that redefines the guardrails of section 1332 and will now allow States to include plans that do not comply with the ACA's consumer protections. The guidance also encourages states to allow premium tax credits for non-ACA compliant plans, plans that don't offer essential health benefits or protect those with preexisting conditions.

The updated 1332 guidance allows State waiver applications to ignore statutory guardrails to ensure that coverage is not less affordable under a waiver, especially for those with high healthcare spending. This new guidance also sets a dangerous precedent, where a State waiver could skew numbers to disproportionately count junk plans in a State's total number of lives covered.

The updated 1332 guidance again makes it very clear that President Trump and this administration do not support affordable insurance for those with preexisting conditions. I was proud to join Senator WARNER in introducing a Congressional Review Act resolution to overturn the administration's 1332 waiver guidance to ensure protections for individuals with preexisting conditions.

The harm done by this administration towards individuals with preexisting conditions will lead to higher costs of care for the millions of Americans. This resolution is a clear opportunity to show our opposition to the actions of the Trump administration to deny coverage for individuals with preexisting conditions.

My Democratic colleagues and I are calling attention to ACA, which has

worked and is working, and how the Trump administration's actions seek to overturn the progress we have made to strip consumer protections like protections for preexisting conditions away from patients. We can't afford as a country to go back to the days before the ACA. Nearly 130 million non-elderly Americans rely on the protections provided by the ACA to guarantee that no insurer could deny them coverage.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, today I would like to address my colleagues to discuss one of the latest attempts from the Trump administration to undermine and sabotage the Affordable Care Act. This week, the Senate will vote on a Congressional Resolution of Disapproval—CRA—on a Trump administration final rule that gives States broad latitude to ignore the consumer protections of the Affordable Care Act.

The rule essentially gives patients in those States the choice between health insurance that doesn't provide coverage when it is needed the most—so-called junk plans—or being priced out of the health insurance market entirely.

As we have already seen, Republican lawmakers in some States are more than eager to dismantle the protections of the Affordable Care Act and bring back the days of insurance companies being in charge, putting profits above the health of consumers in those States.

In fact, about 20 such States have gone a step further by moving forward a lawsuit seeking to invalidate the ACA in its entirety. This is not a theoretical threat to our healthcare system. Over the next year, we will see a final ruling on this lawsuit, and a ruling in favor of these States will be nothing short of catastrophic.

Not only will this upend the healthcare system as we know it in those States, this ruling would apply to every State, even those like my home State of Rhode Island, which has done an outstanding job of implementing the ACA, expanding coverage, and making healthcare more affordable for all.

The Affordable Care Act has given individuals and families more choice, more affordable options, and more control over their healthcare. With these new options for health coverage, the uninsured rate in Rhode Island has reached historic lows, hovering around 4 percent.

Today, because the ACA is the law of the land, insurance companies can no longer deny you coverage for preexisting conditions or put an annual lifetime cap on how much they will pay for your care. Because of the ACA, young adults can stay on their parents' plans until they turn 26 years of age, and women cannot be charged more based on their gender. Also, under the ACA, basic healthcare services like maternity care and behavioral and mental healthcare must be covered.

The ACA has helped keep costs down by requiring insurance companies to provide preventive care at no charge so that the small things do not turn into bigger, expensive medical problems, like surgery.

Yet President Trump continues to put all of this progress at risk. The rule that we are voting to invalidate this week is just one such example. In his first year in office, President Trump failed to pass his bill to repeal the ACA when he had Republican majorities in both the House and the Senate.

Despite widespread opposition to these efforts, the administration has since moved forward with its sabotage strategy in the absence of a legislative win. President Trump ended Federal funding for a key ACA program which helps keep plans more affordable for those in the private market by covering some costs for patients with the most expensive medical conditions.

Next, the administration put forth new rules which allowed more junk plans, plans which can charge more for preexisting conditions and that can refuse to cover needed health services.

Now, the rule subject to this week's vote goes one step further in allowing States to expand these partisan attempts to weaken the ACA, increase costs on consumers, and increase the uninsured rate. If this was not enough, a single court case, championed by partisans looking for a political win, could overturn ACA as soon as next year.

If President Trump's strategy succeeds, many Americans will suffer. Preexisting condition protections will go away, and over 50 million Americans with preexisting medical conditions will go back to being priced out of coverage.

The Medicaid expansion that helps States cover more than 12 million Americans will also go away. Young adults will be kicked off their parents' insurance. Women could be charged more, as would older Americans. People will lose access to mental healthcare, and prescription drug costs for seniors will go up.

In Rhode Island, it is estimated that approximately 100,000 people could lose coverage if President Trump's lawyers convince the courts to cut down the ACA. The State will lose hundreds of millions of dollars in Federal funding for healthcare, all to satisfy President Trump's and congressional Republicans' desire for a political win at the expense of the American people.

We cannot afford to go back to the days when insurance companies were in control. We cannot wait until the Trump administration and Congressional Republicans come up with a plan.

The ACA was signed into law almost 10 years ago and still its opponents have no alternatives.

Americans with preexisting conditions, those who are fighting illnesses, parents with children with complex medical needs, young people who need

coverage while they explore new career opportunities, these people—our constituents, our neighbors, our families—do not have the time to wait for Republicans to come up with a solution for a problem they, themselves, are creating.

We should instead be spending our time working on solutions to today's problems. There are pressing issues that Congress should be spending time addressing to improve health in this country.

Prescription drug costs continue to skyrocket. In fact, addressing prescription drug costs alone would go a long way towards bringing down healthcare costs overall; yet, if the ACA goes away, this will be for naught. It won't matter if the drug companies are required to negotiate fair prices for drugs and are prevented from gouging customers. Without affordable health insurance, consumers will continue to be priced out of lifesaving drugs and treatment.

Further, without the ACA, requirements that plans must cover prescription drugs would go away. Indeed, before the ACA, many plans did not cover needed prescription drugs, leaving patients to pay entirely out of pocket for lifesaving treatments and interventions that prevent more expensive conditions down the road.

Congress has made significant bipartisan progress over the last couple of years on the opioid epidemic, providing considerable funding to States to help people access treatment to get on the path to recovery.

However, one of most effective interventions in the epidemic has been the ACA's Medicaid expansion, helping those with substance abuse disorders get treatment and get back on their feet.

Without the ACA, the bipartisan laws Congress has passed in response to the opioid epidemic will be nowhere near enough in both effort and funding to successfully combat this crisis.

We have also seen new data from the Centers for Disease Control and Prevention showing growing rates of suicide in this country, especially among young people—nothing short of an epidemic. I have been working with my colleagues across the aisle, such as Senator KENNEDY from Louisiana, to increase funding for the National Suicide Prevention Lifeline, and with Senator GARDNER to make the Lifeline more accessible. This is important work. We need to ensure that, when someone courageously reaches out to get help in a time of crisis, that we are able to connect them with affordable mental healthcare for the long term. Without the ACA, that care may be out of reach.

There is certainly more we can be doing to increase access to healthcare, and I have been working with my colleagues to do just that. However, allowing the administration to continue its efforts to destroy the ACA not only undermines healthcare for the most vulnerable Americans, but also all of

our bipartisan work on critical healthcare issues such as lowering drug costs. The American people—my constituents and yours—expect better.

I implore my colleagues on the other side of the aisle to stand up to this administration's reckless plans to upend our healthcare system and work with us to improve our healthcare system instead.

Madam President, before I conclude my remarks, I would like to make some comments on the death of my dear colleague Senator Kay Hagan, and I would ask unanimous consent that these remarks be placed in the appropriate section of the CONGRESSIONAL RECORD in which other tributes of Senator Hagan are placed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING KAY HAGAN

Mr. REED. Madam President, Kay Hagan was an extraordinary individual, a great Senator from the State of North Carolina, and a great person.

I had the opportunity to express my thoughts to her husband Chip, whom I talked with yesterday. We will all miss her advocacy, her spirit, her support of military families, small businesses, students, and Americans everywhere, particularly in her home State of North Carolina.

I had the pleasure of serving with her in this body and the Armed Services and Banking, Housing, and Urban Affairs Committees, and we traveled together to Iraq, Afghanistan, and Pakistan in 2010.

All of us here in the Senate are saddened by this loss, and we send all of our thoughts to Chip and her family.

I must share a vivid memory. Senator Hagan and I were in Afghanistan, and, again, this dauntless, courageous Senator—we were together on a moonrise infantry patrol, moving from a forward operating base far away from Kabul, far away from the center of our activities in a remote corner of Afghanistan. We were moving from the base to a meeting with local Afghan fighters.

As we rolled down this dusty road, I looked over and pointed and said, "Kay, see all those beautiful red flowers?" She said, "Yes, they are very attractive. What are they?" I said, "Well, they are opium poppies."

You see, we were in the middle of a battle in which we had to support our Afghan allies but at the same time not alienate the Afghan population. It was one of the complex issues involved in that struggle. She understood that. But she understood also the sacrifice and service of the men and women who were there that day with us in the middle of a combat zone, and she fought for them relentlessly.

Many of them were constituents from Fort Bragg, NC, from Camp Lejeune, from other places around that State. She had a deep and abiding influence in that, and she was not afraid to go forth to dangerous places to see what they were sharing in terms of danger and deprivation.

She was an extraordinary woman—such decency, such care, such compassion, such humanity. I deeply, deeply mourn her passing.

To Chip and all of her family, my sincerest condolences on the passing of an extraordinary woman who graced this Chamber with decency and dignity, and I know—I know—her example of courage, strength, and love will continue to sustain and inspire her family and those of us who were privileged enough to serve with her.

May she rest in peace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. LANKFORD. Madam President, a couple of weeks ago, I had the privilege to stand at Iron Horse Industrial Park. It is a brand-new industrial park just outside of Shawnee, OK. It is run by the Citizen Potawatomi Nation, and for almost 10 years, they have had the dream of opening up a location in Oklahoma, where there could be foreign trade; different countries could come in to do manufacturing there, and they would be able to work through raw materials and products and sales. It has been a remarkable dream for them.

I stood on a platform with the leadership of the Citizen Potawatomi Nation, members of the Shawnee community, sitting right next to folks from the Canadian Consulate and a Canadian business owner who is opening up a manufacturing plant in just a couple of months, right there on that spot, to be the first company in that location to start doing international trade in that part of Oklahoma.

That location of Pro-Pipe will start manufacturing pipe that they will send all over the place. It is a Canadian company, but it will have about 40 or 45 jobs that are Oklahoma jobs that are there.

Now, why do I mention that? I mention that because it was a reminder—again, as I sat on that platform next to Canadians, the Japanese delegation that was there, the Taiwanese delegation that was there, and others from multiple other countries—about how integrated we really are.

If I took you to Shawnee, OK, there are some great people—and it is a fantastic community—the first thing you would think of probably wouldn't be international trade, but it should be now.

In Oklahoma, our top two trading partners are Canada and Mexico. We have an overwhelming amount of trade just with those two countries. In fact, we exported \$2.4 billion worth of goods just to Canada and Mexico last year.

We are a very connected economy, and working through the trade issues is incredibly important to us. That is why this new trade agreement that replaces NAFTA, which is now decades old and needs a revision, is so important, because our Oklahoma economy depends a lot on how we trade. A lot of

our jobs are connected through agriculture, manufacturing, digital sales, other financial services that are connected through trade to Canada and Mexico. They cooperate with us; we cooperate with them.

So a new trade agreement started in the negotiation process. It started in August of 2017. The Trump administration, the administration in Mexico and in Canada all sat down and decided to reopen NAFTA after the Trump administration put tremendous pressure on Canada and Mexico to update this agreement.

Initially, everyone said they didn't want to change a thing, and from August 2017 until September of 2018, our three countries negotiated a new trade agreement that all three countries now have come back in their leadership and said: That is a better deal than what NAFTA was. That works better for everyone. It provides new elements on things like digital trade that wasn't an issue in the 1990s. E-commerce wasn't a thing at the time; now, it is. So there are digital trade updates.

There are also areas about innovation and intellectual property that help protect inventors in all three countries to protect what they have invented and to make sure the benefits come back to those inventors and back to those countries.

There are also new protections for labor. There have been longstanding issues in labor practices in Mexico. This addresses some of those things and some basic human rights elements for Mexico.

It also adds new environmental requirements so that we would take on as a whole of North America in the way we do manufacturing, the way we do fishing, the way that we handle marine litter, the way that we handle sustainable forest management, all of those things would be addressed in this trade agreement.

It is a very comprehensive agreement—the USMCA agreement—and it is very important that we actually get it passed. I hope you didn't miss the timeline that I laid out. The negotiation started in August of 2017. The negotiation finished in September of 2018. Since October of 2018, that agreement has been waiting on a vote in the House of Representatives.

Mexico has already long since passed it. They have not only passed the agreement, they have passed the laws doing the implementing language. They have long since passed it. Everyone is waiting for the United States to pass this trade agreement that will help us in labor issues, help us in manufacturing, help us in ag exports, help us in our digital trade, help us in environmental policy. We are all waiting on the House of Representatives to take it up.

We are now past a year that the House has had this. It has to start, constitutionally, in the House, and I cannot say strongly enough how important this is to be able to maintain our mo-

mentum in trade with Canada and Mexico that we should not have to wait.

Now, some in the House say this is about not giving President Trump a win, so they don't want to vote on it because it will give President Trump a win. This is not about the President of a country. In fact, Mexico has already changed Presidents since the time of this agreement. This is about giving the American people a win. This is, quite frankly, to be selfish, about the people of Oklahoma getting a win. It is additional jobs, it is additional protections, it is additional opportunities to do investment that we would like to be able to see for my State and for the people of my State, so I can't encourage enough the House to take this up.

I do want to also compliment the administration for taking this agreement on. Three years ago, no one thought this agreement could be done nor should be done, and now, when it is in the process of being finalized, everyone seems to be nodding their head, saying: That is better. Let's keep going.

The administration has also recently struck a deal with Japan. Japan is a trade partner already, just like Canada and Mexico, but we have had some problems with Japan. The United States exported \$14 billion in food and agricultural products to Japan just in 2018—\$14 billion. But out of that \$14 billion, right at half, \$7.2 billion of those had a need to address some of the issues about tariffs and about some additional protections. So this new trade agreement that the administration just struck with Japan is exceptionally helpful to us. It takes out half of the tariffs—either reduces them or eliminates them entirely—of our ag trade back and forth with Japan.

Why is that a big deal for Oklahoma? You may say Oklahoma is a long way from Japan. It is, except we ship a lot of beef that way, and we could ship a lot more.

This agreement specifically deals with things like beef, pork, poultry, sorghum, wheat. Those are products that are all coming right out of my State, and it is exceptionally important that this agreement has been done.

Now, this agreement doesn't have to come through Congress. It is an executive agreement. It is not like the USMCA. It is done. So we have already seen a gain in Oklahoma based on that trade agreement in Japan. The encouragement I can make to the administration is: Keep doing this.

We have further negotiations we need to have completed in the Pacific. While they have done step one with Japan, there is more to be done with Japan on lowering other tariffs, but we would also like to see a trade agreement with New Zealand. We would also like to see a trade agreement with other partners in the Pacific where we still need trade deals done. Keep going, and keep expanding markets.

The big issue right now is with China. Our trade issues with China

have been significant. They have been significant for decades. The last five Presidents have all tried to deal with some of the problems with China and trade, their theft of intellectual property, their violations of basic dignity for their workers. The environmental policies they have in China has been deplorable.

We should address the issues of trade with China, and we should address how we can further not only cooperate but deal with some of the inequities of workers and deal with some of the inequities of environmental policy and certainly deal with the theft of intellectual property.

As China is one of the worst human rights violators in the world, in our trade negotiations, we should talk about things like free press, freedom of religion, and opportunities for the Uighurs, who are literally bound up in concentration camps being reeducated to be more Chinese rather than being able to live out their faith as Muslims there in China.

There are many issues we need to deal with that go beyond just dollars. It is how we actually interact with each other. So for the administration, as they are finalizing the final moments of how they are going to deal with a trade deal with China, I continue to encourage them to keep doing the work. The last five Presidents have all tried to resolve issues with China.

Keep going. We have to be able to get this done, but hold China to account on human rights issues, while we are also dealing with economic issues. This is our moment to address those critical needs.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Washington.

#### HEALTHCARE

Mrs. MURRAY. Mr. President, this afternoon, I join with a number of my colleagues to put Republicans on notice that their healthcare charade is coming to an end.

Tomorrow, the Senate will go on the record and make clear, once and for all, whether they stand with patients and families who are counting on them or with President Trump and big insurance companies.

Tomorrow, Democrats will force the Senate to vote on our bill to reverse President Trump's rule that undermines protections for people with pre-existing conditions and promotes junk health plans and higher costs for families.

For too long, Republicans have been making empty promises on healthcare, while taking harmful steps that make things worse for patients and families. Time after time, Democrats have asked Republicans to work with us to actually make healthcare work better for patients and families, but, time after time, Senate Republicans have said no. In fact, there has been no greater cheerleader for President Trump's relentless attacks on families' healthcare and no greater obstacle to

passing solutions to repair the damage than Senate Republicans.

This isn't just a hypothetical conversation. Any day now—any day now—we could get a ruling on the partisan lawsuit brought by President Trump that would undermine healthcare for over 100 million people by ending protections for people with preexisting conditions, stripping away coverage families got through the exchanges and Medicaid expansion and letting young adults get kicked off of their parents' insurance before they turn 26.

A Republican win on this could absolutely drive up costs by scrapping the caps on patients' out-of-pocket costs, while bringing back lifetime and annual caps on their benefits—even for those insured through their employer—and ending essential health benefits that require insurers to cover prescription drugs, maternity care, mental healthcare, emergency care, and more.

When Senate Democrats took a stand against this dangerous lawsuit and introduced this legislation to fight for patients and protect their care, Senate Republicans ducked for cover and did not bring it to a vote, just like they have done with Senate Democrats' efforts to bring down drug prices through impactful steps like Medicare negotiation, or to restore funding to help people find the care that is right for them when open enrollment starts this week, or make coverage more affordable for working families.

Democrats in the House have already made progress on some of these steps, from successfully joining the lawsuit to fight for patients to passing legislation that would restore navigator funding, reverse President Trump's harmful junk insurance rule, and more.

Republicans in the Senate have blatantly failed to live up to their promise to fight for families' healthcare instead of working with us on these steps to help our families and protect patients with preexisting conditions—to do what families sent us here for. They have buried each of these solutions in their legislative graveyard so that they don't even have to admit on the record that they aren't doing anything to help protect families' care—well, not tomorrow. Tomorrow, Democrats are going to bring forward a bill to ensure protections for preexisting conditions that Leader MCCONNELL cannot bury and Republicans can't hide from.

Tomorrow, every single one of us is going to have to go on the record about where we really stand on families' healthcare and protections for preexisting conditions. Tomorrow, we will be voting on Democrats' legislation to reverse a step President Trump took to work a tool that was meant to encourage innovation into one that encourages States to eliminate protections for patients with preexisting conditions, increases costs, undermines essential health benefits, and promotes harmful junk insurance plans that can charge vulnerable patients more and cover less.

Letting President Trump's rule stand could leave millions of patients with higher premiums, higher out-of-pocket costs, and no affordable options to get the healthcare they need.

Our vote tomorrow to reverse this rule that takes protections away from patients and gives power back to insurance companies offers a very clear test about who Senators are actually fighting for. People across the country are going to be watching tomorrow and taking note of who is pushing for solutions to protect their care and who is blocking them, who is trying to repair the damage President Trump has caused and who is trying to cause even more harm, who is fighting for their healthcare and who is fighting against it.

I hope each and every one of my Republican colleagues think long and hard about the promises they have made to their constituents and how they are going to look them in the eye after the vote tomorrow. I hope each of them finally decides to do the right thing and stand up for families' healthcare, even if it means being a Republican who stands up against President Trump.

I believe issues as important as families' healthcare should come before party, and I hope we will see tomorrow that Republicans agree.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, first, I thank my colleague, the distinguished Senator from Washington, for her leadership on the issue of providing healthcare to all Americans. In a democracy where everyone counts, everyone should have access to high quality, affordable care.

I rise today to discuss the Trump administration's efforts to undermine our health insurance system and scam healthcare consumers by allowing harmful health plans to be sold to unsuspecting, vulnerable Americans.

Since the President's first day in office, his administration has taken measure after measure that makes it harder for patients to access necessary care, weakens our healthcare system, and increases costs.

This latest effort to expand access to what are appropriately referred to as "junk" health insurance plans would allow insurance companies to discriminate against Americans who experience preexisting conditions and would also leave patients with higher healthcare costs and worse insurance coverage.

Junk plans don't cover even basic benefits, such as prescription drugs, substance use disorder treatment, or maternity care. People often don't realize how inadequate these plans are until they are in the middle of a medical crisis.

Unless you can guarantee that you will never get sick, never break a limb, or never get into an accident, these plans are a bad deal for you. We all

know that life doesn't come with those guarantees, and when the worse does happen, when illness or injury strikes, these plans are, more often than not, barely worth the paper they are written on.

This can lead to two very bad outcomes. The first is that the patient chooses to receive the critical care they need, but, because the short-term junk plan doesn't cover the care, the patient ends up being stuck with an incredibly high out-of-pocket medical bill, or the patient, upon learning that the junk plan doesn't cover critical care, chooses not to get the care they need, which leads to adverse outcomes or an unplanned trip to the emergency room, the cost of which may be footed by the taxpayer.

If you are someone with a preexisting condition, such as asthma, diabetes, or cancer, you could be charged more, sometimes truly astronomical amounts, for insurance that will not even cover many of your most basic benefits or you can be denied certain benefits altogether.

If that sounds familiar, it is because it is the same situation people with preexisting conditions were in before the passage of the Affordable Care Act. That is why I am calling on all of my colleagues on both sides of the aisle to vote to repeal the Trump administration's rule that authorizes these junk plans, threatening protections for millions of Americans with preexisting conditions and increasing healthcare costs all across the board.

If there is one thing that Republicans and Democrats should all agree on, it is that we must ensure that people with preexisting conditions are protected and that they can be covered—people like Bernadette Clark of Manchester, whose youngest son is living with cerebral palsy, a complex medical condition, and would not have access to the type of health insurance that she and her family need if not for the protections that the Affordable Care Act afforded to people with preexisting conditions.

Doctors, nurses, hospitals, and patients universally oppose these junk plans because they know how dangerous these plans are for the health and well-being of our people.

I urge every Senator to stand with Granite Staters and all Americans in opposing the Trump administration's latest attack on our healthcare system.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, as the Senator knows, Senator SHELBY and I have been working very hard on the appropriations bills. I commend his staff and my staff for all the work they have done. It is not just the bill's first page and the number at the end that counts. There is a whole lot that goes in between.

There are a number of policy considerations that are in there. There are



things that Senators from both parties want that make a great deal of sense and both parties are for it, and we are putting those together. I would hope, having done all that, it means that within the next day or so we can get at least four of these appropriations bills passed.

I remind everybody that the last time Senator SHELBY and I went through this exercise, we passed most of the bills, if not unanimously, virtually unanimously. I think it helps the Senate. It shows that we are doing our work and that we can set aside partisan differences and do what is best for the country.

The other body has been working very hard in the House of Representatives on their appropriations bills. Their Appropriations Committee is led by two of the finest members I have served with: NITA LOWEY, the chair from New York, and KAY GRANGER, the ranking member from Texas—one a Democrat and one a Republican—both of whom believe in the Congress and have our support, and they worked hard. I say that just because I have had so many Members ask me how it is going. I think it is going better than anybody thought it might at this point earlier. We will get it done.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. J. RES. 52

Mrs. SHAHEEN. Mr. President, since President Trump was sworn in, he has made it his mission to dismantle the Affordable Care Act. Last Congress, time and again, we saw the House and Senate majorities try—and fail—to repeal the law of the land, the Affordable Care Act.

After their attempt to repeal the Affordable Care Act failed in the Senate, the Trump administration made it abundantly clear that they would do everything possible to sabotage the act through regulations and administrative action. Through this sabotage, the administration has undermined the critical protections healthcare provides for people with preexisting conditions.

I just want to reiterate my support for the Congressional Review Act disapproval resolution that I worked on with Senator WARNER, and I congratulate him for his leadership. What that resolution points out is that preexisting conditions and short-term insurance plans, also known as junk plans, are inconsistent. I am proud to support the disapproval resolution that we will vote on this week that would reverse this administration's so-called 1332 waiver rules.

Those rules allow for the use of taxpayer dollars to subsidize junk insur-

ance plans. These waiver rules are part of the Trump administration's ongoing attempt to make an end run around Congress and dismantle the Affordable Care Act through the regulatory process.

I think it is important to understand the shortcomings of these junk plans that the administration is promoting. These plans are allowed to deny coverage to someone who has a preexisting condition. They also allow insurance companies to charge higher premiums if somebody has a preexisting condition. They are not required to cover the Affordable Care Act's essential benefits, such as maternity care, substance use disorder treatment, or prescription drugs. In New Hampshire, where we have a real challenge with the opioid epidemic, without coverage for substance use disorders, we have thousands of people who would not be able to get treatment for their substance use disorders.

These plans are allowed to place arbitrary limits on the dollar value of services that will be covered annually, and they also don't have to comply with the Affordable Care Act's caps on how much insurers can require that patients pay out of pocket. In short, these junk plan policies are often not worth the paper they are written on, but for some reason, these are plans that are favored by this administration.

The administration's 1332 waiver rules effectively rewrite the law to allow the Affordable Care Act premium tax credits to be used to purchase junk plan coverage. So rather than help subsidize comprehensive healthcare coverage as was intended in the act—coverage that will actually allow people to get the healthcare services they need—what the Trump administration waiver does is have those taxpayer subsidies cover junk plans that generally do not provide the care that people need.

Allowing taxpayer dollars to subsidize junk plan coverage is not only dangerous for consumers, who can be duped into purchasing junk plans, but it also poses a threat to the stability of the insurance market. By aggressively pushing enrollment in junk plans, this administration is seeking to split the insurance market into two: one market for younger and healthier individuals and a second, much more expensive market for older individuals and people with chronic health conditions. This is not the outcome that people in New Hampshire and patients across this country want or deserve.

That is why I intend to vote in favor of the Congressional Review Act resolution, which will overturn these rules that are sabotaging the Affordable Care Act.

Unfortunately, the waiver rules are not the only grave threat that this administration is posing to access to healthcare coverage and protections for people with preexisting conditions. In addition to the sabotage of the ACA that is going on, the Department of

Justice—our Nation's highest law enforcement authority—continues to refuse to defend the law of the land, the Affordable Care Act, in Federal court. Instead, the Justice Department has argued that the Affordable Care Act should be struck down, resulting in the loss of coverage for millions of Americans. The estimate is that if the Affordable Care Act is struck down, 20 million Americans will lose their healthcare.

In New Hampshire, approximately 90,000 Granite Staters have obtained health insurance coverage through either the Affordable Care Act or Medicaid expansion. Across the country, more than 17 million Medicaid expansion enrollees and 11 million people in the marketplace health plan depend on the ACA for their coverage. So these families can see their coverage ripped away if the Department of Justice gets its way in the courtroom.

If the Department is victorious in its litigation, they will also take away the best tool we have for combating the opioid epidemic—the Medicaid expansion. In New Hampshire, more than 11,000 people have substance use treatment thanks to Medicaid expansion. Access to those services will be gone without the Affordable Care Act. At a time when so many families are struggling with sky-high prescription drug prices, a victory by the Department of Justice in this case would increase prescription drug costs for Granite State seniors, who currently save an average of \$1,100 a year thanks to the ACA's Medicare Part D drug discount program.

That is not all. If the courts strike down the Affordable Care Act, insurers would once again be able to exclude coverage for prescription drugs, and the FDA's approval pathway for less expensive biosimilar medication would be invalidated.

I have been watching these ads on behalf of President Trump and the administration that talk about his commitment to lowering prescription drug prices and the importance of the pathway for biosimilar medications that are basically generic drugs for biologics. Yet this pathway to approve those less costly biosimilar medications would be invalidated if the Affordable Care Act gets struck down.

The stakes are really just too high for us to continue the partisan bickering around the Affordable Care Act. We should be coming together to tell the Justice Department to defend the law of the land. That is why I filed an amendment to the Commerce, Justice, Science appropriations bill that would prohibit the Justice Department from using Federal funds to argue against the Affordable Care Act in court. That is why we need to support the Congressional Review Act vote that we will have this week, which would ensure that people with preexisting conditions are not going to be cut off of their health insurance when they are tricked into buying junk plans through this administration's deceptive advertising.



This Friday is the start of the 2020 open enrollment season for the Health Insurance Marketplace coverage under the Affordable Care Act. At this important juncture, we should be sending a very clear message that the Department of Justice should defend the law of the land and that the administration's promotion of junk plans should not continue. If we fail to do so, we are going to be endangering vital access to care for millions—tens of millions—of Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 916

Mr. DURBIN. Mr. President, it is my honor to come to the floor to speak on an issue that is important for so many Americans.

Let me start at the outset—before I move to unanimous consent on a specific piece of legislation—by saying that I believe that the change in the Affordable Care Act, which prohibited discrimination against people because of preexisting conditions, is one of the most fundamental changes in health insurance in America. Who among us doesn't have a member of their family or a friend with a preexisting condition?

There was a time, of course, when because of that, people were denied any coverage or charged exorbitant amounts of money. Overwhelmingly, we understand that if we are going to have a health insurance system that really serves the entire Nation, we cannot allow health insurance companies to pick and choose.

Prior to the Affordable Care Act's passage in 2010, health insurers used to charge people with preexisting conditions higher monthly premiums or simply deny them coverage all together. Health insurance companies used to impose annual lifetime caps on what they could pay for. These arbitrary limits disproportionately hurt people with preexisting conditions who often needed ongoing intensive medical care, and insurance companies before the Affordable Care Act used to refuse coverage for certain healthcare services that people with preexisting conditions needed—prescription drugs, hospital visits, mental health and substance abuse treatment, maternity and newborn care.

The Affordable Care Act changed all of that. There are no more denials or higher premiums for preexisting conditions, which is an amazing breakthrough. There are no more annual or lifetime caps on benefits and no more refusals to cover maternity benefits or doctors' visits.

Ten years ago, every single Democrat—I was one of them—voted in favor of the Affordable Care Act, and I would do it again today. It was a law that ensured these protections for people with preexisting conditions really meant something and were enforceable.

Ten years ago, every single Senate Republican voted against the Afford-

able Care Act. Since it has been signed into law, House and Senate Republicans have voted more than 100 times to repeal the Affordable Care Act. Their efforts have failed. There was one most dramatic effort, which many of us can recall happened just a couple of years ago, right here in the well of the Senate when the late Senator John McCain, Republican of Arizona, came to the floor in the middle of the night and cast a "no" vote. He believed, and I think he was right—I am sure he was right when he said: You can't be just against something; you have to be for something. The Republican side of the aisle has no alternative to the Affordable Care Act. They are just against it. They don't like it. They don't like the name of it. They don't like ObamaCare. They don't like Obama's administration. They just vote no over and over again.

Right now, there is a pending lawsuit that even would try to eliminate the entire Affordable Care Act, including the protection for people with preexisting conditions. Eighteen Republican-led States, including the State of Texas, brought the suit after congressional Republicans eliminated the CRA's individual mandate. President Trump's Department of Justice supports this bill to eliminate the Affordable Care Act. If this lawsuit is successful, nearly 20 million Americans—600,000 of them living in Illinois—could lose their health insurance, and nearly 133 million Americans with preexisting conditions—3 million in Illinois—could once again be at risk of discrimination by health insurance companies. As if that weren't bad enough, President Trump has also proposed new rules that would allow States to discriminate against Americans with preexisting conditions.

This week, the Senate will be voting on a Congressional Review Act resolution to overturn the Trump administration's latest assault on Americans with preexisting conditions. Senator WARNER of Virginia has offered a resolution of disapproval, cosponsored by every single Senate Democrat. If any Senator on the Republican side really wants to help people with preexisting conditions, join us. Make this a bipartisan effort to tell President Trump and his administration it is wrong. We should not discriminate against people with preexisting conditions.

I hope that Senate Republicans will consider supporting a piece of legislation known as the MOMMA's Act. I am cosponsoring it; in fact, I am the lead sponsor in the Senate. The House sponsor is Congresswoman ROBIN KELLY of Illinois. It would ensure that all pregnant women get the care they need. Why is this important to raise in a modern country like America, with our great natural and medical resources? Because the United States is 1 of only 13 countries in the world where maternal mortality rates are worse now than they were 25 years ago. I want to repeat that because it is an incredible

statement, though true. The United States is 1 of only 13 countries in the world where maternal death rates are worse now than they were 25 years ago.

Fortuitously, the Presiding Officer is a medical doctor. I know he has devoted a good part of his professional career to serving people of low income, limited means.

You think when you hear that number about maternal mortality in the United States, it cleverly must be associated with economic levels, income levels, wealth levels, education levels. It turns out it is not. Nationwide, more than 700 women die every year as a result of pregnancy, and more than 70,000 suffer near-fatal complications. More than 60 percent of maternal deaths are preventable.

Sadly, the tragedy of maternal mortality is even more pronounced when it comes to mothers of color. In the United States, women of color are three to four times more likely than White women to die as a result of pregnancy. In Illinois, they are six times more likely than White women to die.

When I researched this, I went to the University of Chicago and asked the OB/GYNs there to look into the stats, look into the studies, and tell me what is behind this. They said: Senator, there is no correlation among income, education attainment, and this death rate among women. It is only a question of color. We are losing new moms, and, sadly, we are losing babies as well. Every year, more than 23,000 infants die in the United States, largely due to factors that could be prevented. Black infants are twice as likely to die as White infants—a disparity that is greater than it was in the year 1850 in this country.

That is why Representative KELLY, my colleague Senator DUCKWORTH, and I introduced the MOMMA's Act. First and foremost, our bill would expand the length of time that a new mom can keep her Medicaid healthcare coverage. Currently, Medicaid has to cover women only for 2 months postpartum—after the baby is born. Our bill would expand that to a full year.

Next, the MOMMA's Act would improve access to doulas, as well as improve implicit bias and cultural competency training among healthcare providers. Too often, Black women are just not listened to or taken seriously by healthcare providers. Doulas can provide education, advocacy, and support for women whose voices are being ignored.

Lastly, our bill would improve hospital coordination reporting on maternal healthcare outcomes.

Leader MCCONNELL has made it clear that he has no intention of allowing the Senate to debate and pass legislation, instead, rendering the Senate to what has been characterized as a "legislative graveyard." Senator MCCONNELL says with pride that he will be the Grim Reaper—his words—the Grim Reaper. Nothing will pass in the Senate.

But I hope he will make an exception for the MOMMA's Act, which is currently moving through the House of Representatives. Whether you are pro-choice or whether you are right to life, shouldn't we all stand together—Democrats, Republicans, and Independents—and say: Let's do something to eliminate this unacceptable level of maternal mortality in the United States. Let's do something to save these babies. Let's agree on that part if we can't agree on anything else.

Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 960 and the Senate proceed to the immediate consideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Iowa.

Mr. GRASSLEY. Reserving the right to object, this bill is in the jurisdiction of a committee that I am chairman of, the Senate Finance Committee. I think the Senate Finance Committee has a reputation for doing things in a very bipartisan way and moving a lot of important legislation. For example, we moved a bill out of committee to, hopefully, get consideration on the floor. It is a very bipartisan bill that reduces the cost of prescription drugs. We did that on a 19-to-9 vote.

There are a lot of other things we are working on, including some trade legislation. We want to consider, hopefully, in a bipartisan way the U.S.-Mexico agreement. We also have an agreement out on encouraged savings and things of that nature.

I want to respond to my friend by reminding him how our committee works. Last night was the first time that I heard there was an interest in moving Senator DURBIN's bill. The bill has not been through the committee process, and, therefore, there has been no opportunity to weigh in with what we know and to determine what we need.

There are a number of programs focused on reducing maternal mortality, and it is unclear how this bill coordinates with those efforts. This bill makes a number of long-term changes to Medicaid, and the policy and budgetary impacts are unknown.

I am offering a counterproposal in the Medicaid Program to address maternal health and identify underserved areas. Additional funding is provided for existing Maternal and Child Health Services Block Grants. This focus is fully offset by a policy that saves money by focusing our limited resources on moms and babies, rather than spending on prisoners at a higher percentage in our most vulnerable populations.

I am going to offer Senator DURBIN this proposal that I just described. I ask the Senator to modify his request

to include my amendment, which is at the desk.

I ask unanimous consent that the amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. DURBIN. Reserving the right to object, the Senator from Iowa is my friend. We throw that word around here on the Senate floor, and it usually doesn't mean much, but it is true. We are friends. I respect him very much. I think he is a good father, good grandfather, and I think the time will come—and I hope soon—when we can sit down and take his proposal and my proposal and put them together and make a bill we will both be proud of. We have done that before, even to the point of getting the President to sign the bill into law.

For the time being and because his proposal cuts some Medicaid benefits that are a great concern to me, I am going to object in the hope that we can use this opportunity and this moment as a basis for sitting down and finding a bill we can agree on.

I object.

The PRESIDING OFFICER. Objection is heard on the modification.

Is there objection to the original request?

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Kentucky.

#### TRIBUTE TO JIM MILLIMAN

Mr. PAUL. Mr. President, I rise to honor and pay tribute to one of the most tenacious and dedicated Kentuckians I have had the pleasure of knowing, Mr. Jim Milliman.

Jim began his career in 1964 after graduating from the University of Notre Dame. He subsequently graduated magna cum laude from the University of Louisville School of Law in 1970. He married Nan Milliman, and they made their home in Louisville, KY. They have been married for 48 years.

When I first met Jim, I knew him as one of Kentucky's finest attorneys, who represented Brown & Williamson during the tobacco litigation and the State Republicans in election law matters. I knew him as an accomplished managing partner of the Louisville-based law firm, Middleton Reutlinger. I also knew him as the fiery conservative cohost who often sat opposite Congressman JOHN YARMUTH on WAVE 3 TV's political show "Hot Button." He was known for his spirited debate and for not backing down.

After having over 40 successful years in commercial litigation and receiving numerous awards from his peers, such as being named one of the top 50 attorneys in Kentucky, Jim decided to retire—from the law, at least. In 2010,

right after I was elected to the Senate, I convinced Jim to come out of retirement and be my State director for Kentucky. I am truly grateful that he said yes because, for nearly a decade, Jim has served in that role and has been one of my most trusted advisers.

Anyone who knows Jim knows that he is a force to be reckoned with. He is fiercely loyal, a real problem solver, and a highly accomplished legal mind. Moreover, he is an incredibly kind person who cares deeply about his friends and colleagues. When I ran for President, Jim spearheaded the approval of a caucus for Kentucky so I would not be kept from the ballot for President and the U.S. Senate.

Recently, Jim has decided to transition from the daily State director duties into more of an advisory role. Considering he tried to retire over 10 years ago, I think it is well-deserved. No matter in what capacity, I will always be thankful to have Jim as a part of my team as an ally and an adviser.

He has dedicated so much of his time to the pursuit of liberty and freedom, to defending the principles that made this Nation great, and to supporting a pro-Kentucky policy agenda.

Thank you, Jim, for your service to Kentucky and to this country.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that debate time for S.J. Res. 52 expire at 12:15 p.m. on Wednesday, October 30, and that notwithstanding rule XXII, the cloture motions filed during yesterday's session of the Senate ripen following the disposition of S.J. Res. 52.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR WEDNESDAY, OCTOBER 30, 2019

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, October 30; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate resume consideration of S.J. Res. 52, under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators PERDUE, CASSIDY, and CASEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

#### SCHOOL SAFETY

Mr. PERDUE. Madam President, Nelson Mandela once said: "Education is the best weapon with which to change the world."

Today, this morning, 51 million students woke up and went to a public school in the United States. Each student carried a spark with which to light up the world in their futures. Unfortunately, today, given the realities that we have seen over the last few years, some of these students are at risk.

Last week was designated as America's Safe Schools Week. It was meant as a time to reflect on the steps we are taking to protect our children every day. Upon reflection, however, one thing has become very clear: In many cases, considering the current realities, our public schools have not been designed physically to deal with the student safety issue.

The consequences of this are heart-breaking. We have heard this story too many times: Parkland, FL, 17 lives; Newtown, CT, 27 lives; Columbine, CO, 13 lives. These were some of the darkest days in our country's history. None of us will ever forget the terror, the tears, and the devastation that these and other communities have felt. For the parents and the relatives of those affected, it is a nightmare from which many will never wake up.

This can't be allowed to continue. There is an implicit agreement that when we drop our children off at a school, we know they are going to be kept safe. In many cases today, we are not fulfilling that agreement. There are a lot of steps we must take in order to face this crisis. I am confident that if we come together in a bipartisan fashion and focus on doing what actually works, we can make our schools safer.

The U.S. Senate has a chance to get this started right now. Last month, in a bipartisan effort, Senators DOUG JONES, THOM TILLIS, and SHELLEY MOORE CAPITO joined me in sponsoring the School Safety Clearinghouse Act. This bipartisan bill is a critical first step that will help to protect students and faculty in our public schools in America.

The School Safety Clearinghouse Act will codify a recommendation from President Trump's Federal Commission on School Safety to create a Federal

clearinghouse containing all of the best practices for designing safer schools. The techniques contained in the school safety clearinghouse will come from the brightest engineers, architects, researchers, and educators in the country. It will be like a library that schools can trust when making critical decisions and when talking about physical upgrades in their environment. It is imperative that schools have the best design information because design flaws in school buildings are placing our students and faculty at risk every day.

When drafting this bill, our office met with Max Schachter, whose son, Alex, was tragically killed in the Stoneman Douglas High School massacre in Parkland, FL, not that long ago. On that awful day, the murderer fired through the window in Alex's classroom door and murdered Alex and two of his classmates. Senselessness. Had the glass been stronger or had the window been designed with an obstructed view, Alex might be alive today.

Madam President, fixing design flaws like these are simple matters that we need to take a step toward today to make our schools safer. Most schools understand this, and they are doing everything they can to close the security lapse.

In August, I saw this firsthand when I toured Mashburn Elementary School in Forsyth County—with Georgia's First Lady Marty Kemp—which has taken incredible steps with grants from the State, that the Governor made available, to enhance their safety measures.

Using this grant money made available by Governor Brian Kemp, Mashburn has restructured all their entryways, reinforced the doors to every classroom, and launched new emergency readiness protocols. As a result, Mashburn is better able to prevent tragedy from occurring.

And the best thing, it has in recent years actually developed a very close relationship with the local police force and sheriff's department. At Mashburn, they have a sheriff's deputy in school every day.

Every school in the country wants to upgrade their safety. The problem is that many schools don't simply have the information they need to make the best choices. The School Safety Clearinghouse Act will close this information gap once and for all.

This is not a top-down government program by the way. The School Safety Clearinghouse Act will never have an unfunded mandate or make any recommendations or force any school to take any action it doesn't want. Rather, the School Safety Clearinghouse Act will empower them to make the decisions for themselves.

Here in America, it doesn't matter if you have big dreams or humble ones; this is the land of opportunity. Everyone has the right to pursue their own happiness. A good education, as we know, is the best way to start that.

I learned that from my parents, both of whom were public school teachers. I see it happening today through my three grandkids. In this country, we promise all of our kids a good education. We now need to promise a safe education as well.

The School Safety Clearinghouse Act is a step that we can take right now, right here in this body, to fulfill that responsibility. We have no time to waste. Every day, students across the country attend schools to learn, grow up, and build their lives. The longer we wait to secure our schools, the higher the chance that some of those students will not come home.

This is not all we need to do; this is just a first start, Madam President. If this bill helps to make one school safer or saves one life, it will be worth it. Let's get it done. Thank you.

I yield back.

Mr. CASSIDY. Madam President was presiding before and I heard several speeches by my colleagues on the Democratic side of the aisle speaking about the 1332 waiver process that the Trump administration is using to lower insurance premiums, and the kind of common refrain is: This is a terrible thing. We are eroding protections in the Affordable Care Act, and we should preserve the Affordable Care Act as it is. This is so ironic because the people who want to get rid of Obamacare right now are running for President on the Democratic side of the ticket.

If you ask BERNIE SANDERS if he wants to get replace Obamacare, he raises his hand. If you ask ELIZABETH WARREN if she wants to replace Obamacare and force people to give up their employer-provided insurance, she raises her hand.

Now, why do the Presidential candidates—Democratic Presidential candidates sit there and say: Hey, let's get rid of Obamacare? And when the administration does something to lower premiums, my Democratic colleagues stand up and decry this kind of assault upon whatever value they are speaking to.

What I think is the Democratic candidates running for President are so aware that healthcare costs under Obama have skyrocketed. Let me see if I can find my figures here, but it's quite remarkable.

Let's just speak a little bit about what has happened. Since 2013, the deductible for someone with single coverage has increased by 53 percent. And despite deductibles going up, say, \$10,000, premiums have increased 20 percent. So the patient's out-of-pocket exposure is increasing both in the deductible and with their premium. For a family of four in Louisiana—we looked on [healthcare.gov](http://healthcare.gov) just walking here—\$25,000 for the policy with an over \$10,000 deductible.

Now, this is not affordable. So clearly there is a concern about affordability. That is what the Trump administration has been trying to address. And frankly, that is what BERNIE

SANDERS and ELIZABETH WARREN wish to have Americans sacrifice their employer-sponsored insurance to address.

But my Democratic Senate colleagues don't want to do this. They would rather have all the protections of Obamacare, even if you cannot afford the policy. And truly, that is what we are doing now. And now, we get to speaking about the waivers that the Trump administration is giving, somehow they are saying these are terrible things.

Let me point out that, in the seven States with 1332 waivers granted under the Trump administration, health insurance premiums have decreased by 7.5 percent. Some States have had a double-digit reduction. Maryland, for example—and I will come back to Maryland—has had a 30-percent reduction in their health insurance premiums under the 1332 waiver given by the Trump administration. North Dakota had a 20-percent reduction.

And what about if you didn't get a waiver? In my State, which didn't apply for a waiver, premiums are expected to rise 10 percent this coming year—10 percent. So the family of four paying \$25,000 a year with a \$10,000 deductible will pay \$27,500 next year, with a \$12,500 deductible, meaning they will be out almost \$40,000—\$40,000 for their health insurance.

I suspect there is a lot of families in my State that wouldn't have minded if we applied for a waiver if we could just lower premiums, instead of seeing out-of-pocket expense continue to rise.

Now, there is a little bit of an irony here. Maryland has a legislature dominated by Democrats, and they actually got a 1332 waiver. So my Democratic colleagues who are speaking about how terrible these waivers are, they should look back to States which Democrats control who are applying for these waivers.

I am told that Montana has a waiver, Montana with a Democratic Governor who is running for President on the Democratic side of the ticket. Apparently, that person felt it was something that he would sign into law and otherwise approve because it would be beneficial to the people in the State.

I don't know why, in the Senate, my Democratic Senate colleagues want Americans to pay more for insurance. Why do they insist on continuing to advocate for policies which make healthcare, health insurance, so unaffordable?

This is personal for me. Besides being an American wanting all to have coverage, for 25 years, I worked in a hospital for the working poor, for the uninsured, trying to bring healthcare to those who could not otherwise afford it. It has been my life mission, if you will, as a physician, to try and get healthcare to those who cannot have it.

And so when folks want to give them this great policy, but you can't afford it, but don't worry, it is a great policy if you can afford it, I have to smile.

Like the Greek myth Tantalus—where we get the word “tantalize” from—where the prize is always just beyond the reach, just beyond the reach, always there to tempt, but you can never have.

So you have a family making \$120,000 a year having to pay \$25,000 for insurance, with a \$10,000 deductible. They are sacrificing so many things. It is tantalizing, but we are sure this is a better state of affairs.

Now, what the administration has done, they have given States flexibility to craft affordable options for families that do not have subsidies. It respects the fact that some States are different than other States. Imagine that.

Alaska is different than Rhode Island—Alaska, if you laid it across a map of the lower 48, would stretch from Georgia to California, but has fewer people than Rhode Island, and Rhode Island, which is a postage stamp compared to Alaska. Those States are different, so allow them to have different healthcare systems.

By the way, when we do this, we are assured by the administration that they continue to enforce protections for those with preexisting conditions and all other things that we as Americans, that we as Republicans, that I as a physician who have spent my life caring for the uninsured, value—so that, if healthcare is not affordable, it is not available. And what we have seen by the folks on the left who are concerned about healthcare costs is a doubling down on government control.

They want to go for Medicare for All. They want to take away your employer-sponsored insurance. But at least they acknowledge that cost is a problem. What my Senate colleagues are not doing, the ones who are speaking today, is acknowledging that cost is a problem, and you can have the greatest plan in the world and, if it is unaffordable, then that greatness is ironic. It is on a piece of paper, but it is not real in someone's life.

What we have seen is that States, when they come to the Federal Government requesting permission to put in a program which is specific to the circumstances in their State, they are not only covering the citizens in their State, continuing to have protections for those with preexisting conditions, but they are also lowering premiums by as much as 30 percent. And that is a good thing, and I have no clue why my Democratic colleagues do not want to see premiums lowered by 30 percent.

Madam President, thank you, and I yield the floor.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### REMEMBERING ELIJAH CUMMINGS

• Ms. HARRIS. Madam President, our Nation mourns the loss of one of the country's greatest leaders, Representative Elijah Eugene Cummings, whose life's work as a fervent champion for

civil rights and his beloved community in Baltimore, MD left an indelible mark on our Nation. Congressman Cummings died on October 17, 2019 in Baltimore, MD. He was 68 years old.

Representative Cummings was born on January 18, 1951, in Baltimore, MD. He was the third of seven children born to sharecroppers, Robert Cummings and Ruth Elma Cummings, who moved north from South Carolina in search of better opportunities for their family. Representative Cummings graduated from Baltimore City College High School and went on to earn a bachelor's degree in political science from Howard University in Washington, DC, where he served as student government president and graduated Phi Beta Kappa. Representative Cummings obtained a juris doctorate from the University of Maryland School of Law in 1975. Throughout his career, he received 13 honorary doctoral degrees from universities throughout the country.

Representative Cummings' career in public service began in 1983 when we was elected to the Maryland House of Delegates. Representative Cummings proudly served in this role for 14 years, eventually becoming the State legislature's first African-American speaker pro tempore. In 1996, he was elected to represent Maryland's 7th District in the House of Representatives as a member of the 104th Congress. Representative Cummings focused on legislative priorities that promoted equality and economic development, including: criminal justice reform, lowering prescription drug prices, and combating the opioid epidemic, among others. As a respected Congressman, he became a ranking member of the Committee on Transportation and Infrastructure and the chairman of the House Committee on Oversight and Reform.

As the chairman of the House Committee on Oversight and Reform, Representative Cummings was a powerful voice who achieved a reputation as a skilled consensus builder. He understood accountability and protecting those who courageously spoke the truth to protect our Nation. He fought daily to ensure our democracy was not only intact but striving to live up to its promise. At the foundation of his fight was advocacy for justice and equal opportunity for all.

Representative Cummings made it his personal responsibility to champion civil rights issues, particularly voting rights. His fierce advocacy was fueled, in part, by the words of his mother who on her death bed, implored him to ensure the right to vote was preserved. He would heed her words by delivering his own stirring calls to action. He understood the significance of the right to vote in our democracy and worked tirelessly to oppose voter suppression, condemn discriminatory anti-voting tactics, and launch critical investigations when voters—particularly people of color—faced discriminatory voting

challenges. Representative Cummings' visionary leadership and service has and will continue to strengthen our democracy for generations to come.

Representative Elijah Cummings' steadfast dedication to the city of Baltimore, the State of Maryland, and our entire country will continue to inspire others for generations to come. An impassioned speaker, he was truly a voice for the voiceless. As a mentor, he helped so many young people live in their purpose and make the world a better place. He fought for the soul of Nation and selflessly dedicated his life to empowering and uplifting his constituents.

Representative Cummings is survived by his wife, Dr. Maya Rockey Moore Cummings, his children, and a host of family and friends. It was a great honor to attend his powerful funeral and memorial service with many of my colleagues and friends.

Representative Cummings often said that "children are the living messages that we send to a future we will never see." A light is gone from our world, but Representative Cummings' legacy will shine bright through all the individuals he touched and all the movements he helped build. ●

#### CENTENNIAL ANNIVERSARY OF THE WYOMING FARM BUREAU FEDERATION

Mr. BARRASSO. Madam President, in just a few weeks, the Wyoming Farm Bureau Federation will hold their annual meeting in Laramie, WY. This year is unique, as the organization marks their 100th meeting and celebrates ten decades of service to farmers and ranchers across the State. Without question, the agriculture industry in the State, and in the region, has seen immense benefit from the important work the Federation employees do every day.

Today, the Wyoming Farm Bureau is integral in gathering public opinion and disseminating information to farmers and ranchers across the state. Officially, their mission identifies "The primary goal of WYFB is to take appropriate actions to protect private property rights and help members achieve an equitable return on their investment." Just as they did in 1920, the organization brings individuals together to identify common threats to their way of life. Wyoming Farm Bureau worked closely with the national organization during the 2015 waters of the United States rulemaking process to effectively communicate the negative impacts the rule would have on those who are the primary caretakers of our Nation's natural resources.

As chairman of the Environment and Public Works Committee, I invited the Wyoming Farm Bureau Federation president, Todd Fornstrom, to share his story. Todd emphasized the need to protect clean, plentiful water sources while providing predictability for States, counties, and communities.

Through his testimony, Todd skillfully shared the undeniable link between agricultural production and the Wyoming way of life and Wyoming's commitment to protecting our precious resources.

I believe you can tell the strength of an organization by the dedication shown by its members and staff. Todd Fornstrom is serving his third elected term as president. Executive Vice President Ken Hamilton recently celebrated his 36th anniversary with the organization, Media and Member Relations Director Kerin Clark just passed 25 years, and Brett Moline has served Farm Bureau for 13 years. Every one of the 23 counties in Wyoming has a local Farm Bureau organization to build policy and address local issues. The county committees are key parts of the communities they serve.

Without question, farmers and ranchers faced many challenges when the Wyoming Farm Bureau Federation was founded in 1920. Just as they did 100 years ago, farmers and ranchers continue to work together today to produce abundant, high-quality food and fiber for their neighbors and communities around the world. I can only imagine the challenging discussions that prompted the first meeting in 1920, but I am certain early members left that meeting with the same confidence they will leave the 100th meeting.

Working in agriculture is not simply a job. It is a calling, and sometimes, a challenging way of life. I rise today with great appreciation for the work Wyoming farmers and ranchers have done, and continue to do, for our great State. My wife, Bobbi, joins me in congratulating each member of the Wyoming Farm Bureau Federation on their 100th anniversary.

#### ANNIVERSARY OF THE WYOMING WEED AND PEST COUNCIL

Mr. BARRASSO. Madam President, I rise today to recognize a significant anniversary for the Wyoming Weed and Pest Council. When they meet in a few short weeks, the council will celebrate 75 years of service to Wyoming ecosystems and communities. While the council is partially funded by the State of Wyoming, the council's success lies in dedication of staff, volunteers, seasonal employees, and partners who dedicate themselves to eradicating invasive species and noxious weeds.

Invasive species threaten the delicate balance in nearly every ecosystem. Around the world, invasive species cause billions of dollars in damage to the environment and to economies each year. They threaten watersheds, forests, and grasslands. They crowd out important native species, increase the risk of catastrophic wildfires, introduce disease, and fundamentally undermine the natural cycle of life. Dedicated experts work each day to stem the tide of new introductions.

Each of the 23 counties in Wyoming has a Weed and Pest District, run by

staff and an elected board. The districts set policy, monitor existing infestations, work with the public to develop a comprehensive list of risks, and act quickly when new species are detected. Often, Weed and Pest supervisors wear many hats; depending on the hour, they are grant writers, weed sprayers, staff managers, and policy experts.

Wyoming Weed and Pest coordinator, Slade Franklin, detailed the important work of the council when I invited him to testify before the Environment and Public Works Committee earlier this year. In his testimony, Slade shared the coordination that is required to ensure invasive species are not able to gain an advantage in States where lands are managed by multiple jurisdictions. Slade knows that invasive species do not respect fence lines, and during his decade-long leadership of the Wyoming Weed and Pest Council, he has forged important relationships with local, State, and Federal agencies. His leadership has been integral in many of the State's successes.

It is without hesitation that I say Wyoming's forests and plains would look much different today if the Wyoming Weed and Pest Council had not unified in 1973. While the State has struggled with cheatgrass and Russian olive, they have been hugely successful in preventing new infestations of invasive mussels and limiting spread of other grasses, like ventenata. Each municipal water manager, rancher, hiker, forester, hunter, and miner owes a debt of gratitude for the good work of the Wyoming Weed and Pest Council.

Whether they work from horseback, ATV, the air, or a desk, I rise today to honor the dedicated professionals to work to keep our ecosystems healthy. My wife, Bobbi, joins me in thanking them and wishing the Wyoming Weed and Pest Council another 75 years of success.

#### REMEMBERING MORRIS ANDREWS

Ms. BALDWIN. Madam President, I rise today to honor the life and legacy of Morris Andrews, a revered champion of teachers, children, and public education in Wisconsin.

Morris Andrews was born in Big Rapids, MI, on November 26, 1935. As a talented student athlete, Andrews graduated from Big Rapids High School and went on to play football at Central Michigan University, graduating with a bachelor's degree in secondary education. He earned his master's degree from Indiana University in physical education.

Morris taught high school government, coached football, and organized teachers throughout the country. He came to Wisconsin to lead the Wisconsin Education Association Council, WEAC, in 1972, initiating a transformation in the way teachers were valued in the State. Morris brought pride, power, and respectable wages to the teaching profession.

After the protracted and bitter Hortonville teachers strike in 1974, Morris helped craft a mediation/arbitration law that replaced the right to strike with collective bargaining. This new way of settling public sector labor disputes ushered in decades of labor peace.

Under his leadership, WEAC set the standard for recognizing the importance of teachers in shaping the future for generations of students. As teachers' rights increased, so did graduation rates and test scores. Wisconsin ACT scores rose to the top of the national charts for decades. Morris also initiated advancements in education that are now taken for granted, including uniform graduation requirements, gender equity in school athletics, universal special education programs, school nursing services, and remedial reading programs for underachieving students.

Morris never shied away from a fight worth winning. One never had to guess whose side he was on. He knew what was best for teachers, students, and education, and he knew how to get it for them. By organizing and empowering teachers, he shifted the balance of political power in Wisconsin away from well-heeled corporate interests toward K-12 students, their parents, and the dedicated educators who teach them.

When Morris began his tenure in 1972, WEAC had 40,000 members and little involvement in State politics or education policy. When he retired 20 years later, he left a 62,000-member powerhouse with a \$10 million budget and a staff of 175 that was a major player in the State legislature and at the ballot box.

Morris didn't rest after his retirement from WEAC in 1992. He remained committed to his passions of organizing and advocacy, providing sage advice to candidates of both parties running for office and speaking assertively for those without a voice. Morris also left an indelible mark on the State through his work on behalf of the Urban League of Greater Madison, Fair Wisconsin, and the campaign to build the Monona Terrace Convention Center.

There is only one endeavor that surpassed his commitment to teachers, children, and public schools: his dedication to Kris, his wife of 25 years, and his siblings, children, and grandchildren. Beneath his gruff exterior lived a man with a gentle heart who cared deeply about his family, friends, and colleagues.

Morris Andrews believed in his heart and soul that a solid education system was the very foundation of a strong democracy. He dedicated his life to ensuring both education and democracy thrived in Wisconsin. His legacy lives on in the successes of generations of leaders educated in Wisconsin public schools. He can rest in peace knowing he indeed made a significant difference.

#### TRIBUTE TO TONY EARL

Ms. BALDWIN. Madam President, I rise today to recognize former Wisconsin Governor Tony Earl on the occasion of the 50th anniversary of his election to the Wisconsin State Assembly and the beginning of a remarkable career of public service. Governor Earl is a progressive champion in Wisconsin politics and government. He successfully fought to clean up our polluted waters and protect our environment. He is passionate about building a society where no one is left behind, and he listens to and fights for those whose voices are too often not heard.

Anthony Scully Earl was born in St. Ignace, MI, and enjoyed his childhood on Michigan's Upper Peninsula. As the son of a grocery store owner, Tony was influenced by his father's strong work ethic. He took this work ethic with him to Michigan State, where he graduated in 1958. After earning his law degree at the University of Chicago, Tony served our country in the U.S. Navy for 4 years.

Following his military service, he moved to Wausau, WI, in 1965 and immediately became an integral part of the community. He served as an assistant district attorney of Marathon County for a year before becoming the first full-time city attorney for Wausau from 1966 to 1969. Following the nomination of Wisconsin Congressman Melvin Laird to serve as Secretary of Defense and the special election of Dave Obey to succeed Laird in Congress, Tony himself was elected to fill Dave Obey's seat in the Wisconsin State Assembly. Tony was so respected by his colleagues that he was elected majority leader after only 1 year in the assembly.

He was later tapped by Governor Patrick Lucey to serve as Secretary of the Department of Administration, followed by service as Secretary of the Department of Natural Resources. He chaired the Center for Clean Air Policy and directed the Great Lakes Protection Fund. In recognition of his passionate stewardship of Wisconsin's natural beauty and his commitment to environmental protection, the State of Wisconsin recently renamed the Peshtigo State Forest in his honor.

In 1982, Tony Earl was elected Governor of Wisconsin. As Governor, Tony was principled, courageous, and bold. He was a passionate advocate for equality, and his leadership had a profound impact, particularly on women. Recognizing that people working in female-dominated fields were often paid less than workers in comparable male-dominated jobs, Tony established a commission to conduct a comprehensive study of the comparable worth of State government jobs and then used that data to establish pay equity for State employees. He led by example and his work informed decisions by other governmental entities and the private sector.

Early in my career, I had the privilege of interning in Governor Earl's of-

fice, working with his advisor on women's issues, Roberta Gassman. It was an extraordinary opportunity that inspired me to pursue a career in public service. In addition to his advocacy for women, Tony was a trailblazer in the fight for LGBT equality. He was among the first Governors to appoint a liaison to the LGBT community he established the first Governor's Council on Lesbian and Gay issues, which provided much needed oversight of anti-discrimination laws that had been recently adopted in Wisconsin. Working for Governor Earl taught me the importance of doing what is right, regardless of political popularity. Tony personifies our strong Wisconsin values of kindness, determination and hard work.

I am grateful to Tony Earl for all of his contributions to the State of Wisconsin. I am pleased to join thousands of people across our State in recognizing Tony's dedication to public service and achievements over the past 50 years.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SEAMAN 2ND CLASS MARTIN ROY

• Ms. HASSAN. Madam President, today I would like to recognize the birthday of U.S. Navy Seaman 2nd Class Martin Roy of Manchester NH. Mr. Roy was born on November 11, 1914, in Armagh, Canada, a day that would become Armistice Day in 1918 and was later renamed to Veterans Day in 1954. Mr. Roy moved to the United States as a teenager and worked in the mills in Lowell, MS as a mechanical repairman.

In 1943, Mr. Roy enlisted in the U.S. Navy and served during World War II. He was onboard the USS *Franklin*, also known as Big Ben, on March 19, 1945, when a Japanese pilot dropped two bombs on the ship. The bombs caused explosions and fires that triggered ammunition, bombs, and rockets. Along with 700 surviving crewmembers, Mr. Roy helped throw the remaining explosives overboard and saved the ship. When he was honorably discharged in 1945, Mr. Roy received a letter of thanks signed by James Forrestal, then Secretary of the Navy who would later become the first Secretary of Defense.

On February 22, 1946, Mr. Roy married Louise Boutin, whom he had met while working in the mills. They had two children, Paul and Cecile, and moved to Suncook, NH in the early 1950s.

Mr. Roy took a job at the Suncook Mills and, using his mechanical skills, he, along with a friend developed a patent to repair looms in the mill. In addition, for many years Mr. Roy owned and operated two convenience stores, one in Lowell and another Suncook. A man of many interests, Mr. Roy also trained thoroughbred horses over a nearly 20-year period and traveled the New England circuit, owning eight



horses at one time. Upon his so-called retirement, Mr. Roy worked part time as a janitor and repairman in the local bank, never ceasing to work hard and give back to his community.

Mr. President, I hope you will join me in wishing a dedicated, patriotic, and multi-talented Granite Stater, Martin Roy, a very Happy 105th birthday.●

#### MESSAGES FROM THE HOUSE

At 12:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 647. An act to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

H.R. 728. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

H.R. 886. An act to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

H.R. 1306. An act to amend the Disaster Recovery Reform Act of 2018 to develop a study regarding streamlining and consolidating information collection and preliminary damage assessments, and for other purposes.

H.R. 1775. An act to establish a task force on NOTAM improvements, and for other purposes.

H.R. 1781. An act to amend titles XVIII and XIX of the Social Security Act to provide the Medicare Payment Advisory Commission and the Medicaid and CHIP Payment and Access Commission with access to certain drug payment information, including certain rebate information.

H.R. 1865. An act to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

H.R. 2115. An act to amend titles XI and XVIII of the Social Security Act to provide greater transparency for discounts provided by manufacturers, to include real-time benefit information as part of a prescription drug plan's electronic prescription program under the Medicare program, and for other purposes.

H.R. 2423. An act to require the Secretary of the Treasury to mint coins in commemoration of ratification of the 19th Amendment to the Constitution of the United States, giving women in the United States the right to vote.

H.R. 2440. An act to provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation, and for other purposes.

H.R. 2502. An act to amend title 40, United States Code, to require certain prospectuses for public buildings to be made publicly available, and for other purposes.

H.R. 2514. An act to make reforms to the Federal Bank Secrecy Act and antimoney laundering laws, and for other purposes.

H.R. 2781. An act to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes.

H.R. 3942. An act to apply requirements relating to delivery sales of cigarettes to delivery sales of electronic nicotine delivery systems, and for other purposes.

H.R. 4067. An act to amend the Consumer Financial Protection Act of 2010 to direct the Office of Community Affairs to identify causes leading to, and solutions for, underbanked, unbanked, and underserved consumers, and for other purposes.

H.R. 4334. An act to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2020 through 2024, and for other purposes.

H.R. 4860. An act to amend the Securities Act of 1933 to subject crowdfunding vehicles to the jurisdiction of the Securities and Exchange Commission, and for other purposes.

#### ENROLLED BILLS SIGNED

At 2:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 693. An act to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property.

H.R. 1396. An act to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden, to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson, and to award a Congressional Gold Medal to honor all of the women who contributed to the success of the National Aeronautics and Space Administration during the Space Race.

The enrolled bills were subsequently signed the President pro tempore (Mr. GRASSLEY).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 647. An act to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

H.R. 728. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 886. An act to direct the Attorney General to establish and carry out a Veteran Treatment Court Program; to the Committee on the Judiciary.

H.R. 1306. An act to amend the Disaster Recovery Reform Act of 2018 to develop a study regarding streamlining and consolidating information collection and preliminary damage assessments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1775. An act to establish a task force on NOTAM improvements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1781. An act to amend titles XVIII and XIX of the Social Security Act to provide

the Medicare Payment Advisory Commission and the Medicaid and CHIP Payment and Access Commission with access to certain drug payment information, including certain rebate information; to the Committee on Finance.

H.R. 2115. An act to amend titles XI and XVIII of the Social Security Act to provide greater transparency for discounts provided by manufacturers, to include real-time benefit information as part of a prescription drug plan's electronic prescription program under the Medicare program, and for other purposes; to the Committee on Finance.

H.R. 2440. An act to provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation, and for other purposes; to the Committee on the Budget.

H.R. 2502. An act to amend title 40, United States Code, to require certain prospectuses for public buildings to be made publicly available, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2514. An act to make reforms to the Federal Bank Secrecy Act and anti-money laundering laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2781. An act to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4067. An act to amend the Consumer Financial Protection Act of 2010 to direct the Office of Community Affairs to identify causes leading to, and solutions for, underbanked, unbanked, and underserved consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4860. An act to amend the Securities Act of 1933 to subject crowdfunding vehicles to the jurisdiction of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Finance by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 52. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to "State Relief and Empowerment Waivers".

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4334. An act to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2020 through 2024, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 29, 2019, she had presented to the President of the United States the following enrolled bill:

S. 693. An act to amend title 36, United States Code, to require that the POW/MIA



flag be displayed on all days that the flag of the United States is displayed on certain Federal property.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3028. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenbuconazole; Pesticide Tolerances" (FRL No. 9999-58) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3029. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isotianil; Pesticide Tolerances" (FRL No. 10000-79) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3030. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandipropamid; Pesticide Tolerances" (FRL No. 9999-56) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3031. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 10000-06) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3032. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sulfoxaflor; Pesticide Tolerances" (FRL No. 9998-88) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3033. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Designation of Areas; FL; Redesignation of the Hillsborough County 2010 1-Hour Sulfur Dioxide Non-attainment Area to Attainment" (FRL No. 10001-35-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3034. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval: Lane County, Oregon; 2019 Permitting Rule Revisions" (FRL No. 10001-56-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3035. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; Calaveras County Air Pollution Control District" (FRL No. 10001-32-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3036. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; Ventura County Air Pollution Control District" (FRL No. 10000-88-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3037. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Revisions to Sulfur Dioxide Ambient Air Quality Standards" (FRL No. 10001-49-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3038. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Massachusetts; Transport State Implementation Plans for the 1997 and 2008 Ozone Standards" (FRL No. 10001-37-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3039. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; OR: 2018 Permitting Rule Revisions" (FRL No. 10001-52-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3040. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Hampshire: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference" (FRL No. 10001-60-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3041. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (17-4)" ((RIN2070-AB27) (FRL No. 10000-69)) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2019; to the Committee on Environment and Public Works.

EC-3042. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, a report entitled "The Department of Labor's 2018 Findings on the Worst Forms of Child Labor"; to the Committee on Finance.

EC-3043. A communication from the Deputy General Counsel for Ethics, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Student Assistance General Provisions, The Secretary's Recognition of Accrediting Agencies, The

Secretary's Recognition Procedures for State Agencies" (RIN1840-AD36 and RIN1840-AD37) received in the Office of the President of the Senate on October 24, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-3044. A communication from the Acting Assistant Administrator of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "New Single-Sheet Format for U.S. Official Order Form for Schedule I and II Controlled Substances (DEA Form 222)" ((RIN1117-AB44) (Docket No. DEA-453)) received in the Office of the President of the Senate on October 21, 2019; to the Committee on the Judiciary.

EC-3045. A communication from the Associate Director for Legislative Affairs, Office of Legislative and Intergovernmental Affairs, Department of Commerce transmitting, pursuant to law, a report entitled "FY2018 Annual Report on Small Entity Compliance Guides"; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1570. A bill to provide flexibility to allow greater aquifer recharge, and for other purposes (Rept. No. 116-155).

S. 2044. A bill to amend the Omnibus Public Land Management Act of 2009 to establish an Aging Infrastructure Account, to amend the Reclamation Safety of Dams Act of 1978 to provide additional funds under that Act, to establish a review of flood control rule curves pilot project within the Bureau of Reclamation, and for other purposes (Rept. No. 116-156).

By Mr. INHOFE, from the Committee on Armed Services, without amendment:

S. 2731. An original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.

Army nomination of Col. Andrew C. Hilmes, to be Brigadier General.

Air Force nomination of Maj. Gen. James B. Hecker, to be Lieutenant General.

Navy nomination of Capt. Gregory C. Huffman, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. Bruce L. Gillingham, to be Rear Admiral.

Army nomination of Maj. Gen. Mark C. Schwartz, to be Lieutenant General.

Army nomination of Col. Karl Konzelman, to be Brigadier General.

Army nomination of Maj. Gen. Randy A. George, to be Lieutenant General.

Army nomination of Maj. Gen. Edwin J. Deedrick, Jr., to be Lieutenant General.

Army nomination of Lt. Gen. James E. Rainey, to be Lieutenant General.

Navy nomination of Vice Adm. Charles A. Richard, to be Admiral.

Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination

lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of David B. Martin, to be Lieutenant Colonel.

Air Force nominations beginning with Matthew W. Styles and ending with Lindsey P. Davis, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Air Force nomination of Shayla A. Canty-Smith, to be Lieutenant Colonel.

Air Force nominations beginning with Travis M. Allen and ending with Christopher D. Underwood II, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Air Force nomination of Brandon R. Burden, to be Major.

Air Force nominations beginning with Steven D. Gresswell and ending with Tessa L. Winterton, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Air Force nomination of Jason M. Zhao, to be Major.

Air Force nomination of Samuel H. Bridges, to be Lieutenant Colonel.

Air Force nominations beginning with Timothy J. Curry and ending with Ryan J. Garlow, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Air Force nominations beginning with Brian P. Berlakovich and ending with Scott J. Rumisek, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nomination of Timothy M. Donelson, to be Major.

Army nomination of Cesar A. Patino, to be Major.

Army nomination of John J. Vogel, to be Colonel.

Army nomination of Lance A. Brown, to be Colonel.

Army nomination of Gregory J. Hirschey, to be Colonel.

Army nomination of Michael C. Haith, to be Lieutenant Colonel.

Army nomination of Christopher O. Dorsey, to be Major.

Army nomination of Galen Cipperly, to be Major.

Army nomination of Wayne J. Harsha, to be Colonel.

Army nominations beginning with Paula A. Boice and ending with Chunae Zoh, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Army nomination of Brian E. Burk, to be Colonel.

Army nomination of Rhianna K. Riggs, to be Major.

Army nomination of Fatima H. Khan, to be Major.

Army nomination of Demetrius E. Walton, to be Major.

Army nominations beginning with Gregory B. Batdorff and ending with Eric W. Widmar, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nominations beginning with Joseph A. Burton and ending with Ronald C. Vicars, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nomination of Eric L. Rahman, to be Colonel.

Army nomination of Guadalupe Resendez, Jr., to be Lieutenant Colonel.

Army nomination of Katrina A. Parlow, to be Lieutenant Colonel.

Army nominations beginning with Leslie E. Akins and ending with D014484, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nominations beginning with Matthew W. Caspari and ending with Glen E. Templeton, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nomination of Kenneth J. Biskner, to be Colonel.

Army nominations beginning with Nayari N. Cameron and ending with Juan A. Villatoro, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nomination of Deleno M. Harper, Jr., to be Major.

Army nomination of James M. McCandless, to be Colonel.

Army nomination of Jens K. Pederson, to be Colonel.

Army nominations beginning with Greco E. Carreras and ending with Paul E. Gebhardt, which nominations were received by the Senate and appeared in the Congressional Record on October 15, 2019.

Army nomination of James H. Feaster, to be Colonel.

Army nomination of Christa M. Chewar, to be Colonel.

Army nomination of Erik A. Ernest, to be Major.

Army nomination of Joshua D. Helsel, to be Major.

Army nomination of Scott T. McCartney, to be Major.

Army nomination of Broderick L. Gardner, to be Major.

Army nomination of Kara S. Krulewicz, to be Major.

Army nomination of Tatchie O. Manso, to be Major.

Army nomination of Eduardo Olvera, to be Major.

Army nomination of Francisco Rincon, to be Major.

Army nomination of Wallace W. Rollins, to be Major.

Army nomination of Taylor S. Schenck, to be Major.

Army nomination of William D. Swenson, to be Lieutenant Colonel.

Marine Corps nomination of James M. Stephens, to be Major.

Marine Corps nomination of Carlos T. Jackson, to be Colonel.

Navy nomination of Michael J. Tagaloa, to be Commander.

Navy nomination of Patcho N. Santiago, to be Captain.

Navy nomination of Bryan A. Boldon, to be Lieutenant Commander.

Navy nomination of Michael D. Cribbs, to be Lieutenant Commander.

Navy nomination of Brackery L. Battle, to be Lieutenant Commander.

Navy nomination of Joel D. Myers, to be Lieutenant Commander.

Navy nominations beginning with Bryan M. Allred and ending with Kendra M. Yates, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Mario D. Adame and ending with Anthony M. Young, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with William H. Abbitt and ending with Ruben B. Zweiban, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Kelly W. Agha and ending with Amy L. Younger, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Kwadwo S. Agyepong and ending with Shaun E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Bradley E. Cherry and ending with Neil W. Whitesell, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Hernan R. Borja and ending with Brian E. Yee, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Benjamin T. Anderson and ending with Matthew A. Stroup, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Nick Avila and ending with Athanasios R. Varvoutis, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Michael Adamski, Jr. and ending with Austin C. West, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Jason C. Abell and ending with James M. Zweifel, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nominations beginning with Garrett L. Adams and ending with Iris P. Wood, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Navy nomination of Joseph L. Coffey, to be Captain.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. ERNST (for herself and Mr. PAUL):

S. 2722. A bill to prohibit agencies from using Federal funds for publicity or propaganda purposes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Ms. SMITH):

S. 2723. A bill to amend the Federal Food, Drug, and Cosmetic Act to reduce drug storages, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON (for himself, Ms. SINEMA, Mr. TILLIS, and Mr. JONES):

S. 2724. A bill to amend the Sarbanes-Oxley Act of 2002 to exclude the audits of privately held, non-custody brokers and dealers that are in good standing from certain requirements under title I of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS (for himself, Ms. SMITH, Mr. THUNE, Mr. TESTER, Ms. MCSALLY, and Ms. CORTEZ MASTO):

S. 2725. A bill to modify the procedures for loan guarantees provided for Indian housing,

and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. WYDEN):

S. 2726. A bill to amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, and for other purposes; to the Committee on Rules and Administration.

By Mr. MARKEY (for himself and Mr. SANDERS):

S. 2727. A bill to reduce spending on nuclear weapons and related defense spending and to prohibit the procurement and deployment of low-yield nuclear warheads, and for other purposes; to the Committee on Armed Services.

By Mr. HAWLEY:

S. 2728. A bill to establish a Department of Homeland Security counterintelligence vetting task force, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. DUCKWORTH (for herself and Mr. RISCH):

S. 2729. A bill to require Federal agencies to report to Congress on non-compliance with the requirements applicable to the Office of Small Business and Disadvantaged Business Utilization of the Federal agency, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. PETERS:

S. 2730. A bill to establish and ensure an inclusive transparent Drone Advisory Committee; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 2731. An original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. BENNET:

S. 2732. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Advanced Research Projects Agency-Terra, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROMNEY (for himself, Mr. MANCHIN, Mr. YOUNG, Mr. JONES, and Ms. SINEMA):

S. 2733. A bill to save and strengthen critical social contract programs of the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 2734. A bill to provide a duplication of benefits fix for Sandy CDBG-DR recipients, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### ADDITIONAL COSPONSORS

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 133

At the request of Ms. MURKOWSKI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 133, a bill to award a Congressional Gold Medal, collectively, to the

United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 206

At the request of Mr. TESTER, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 206, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 285

At the request of Ms. ERNST, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 285, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 479

At the request of Mr. TOOMEY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 521

At the request of Mr. BROWN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 636

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 636, a bill to designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section.

S. 642

At the request of Mr. ALEXANDER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 642, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 652, a bill to require the United States Postal Service to continue selling the Multinational Species Conservation Funds Semipostal Stamp until all remaining stamps are sold, and for other purposes.

S. 670

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 670, a bill to make daylight savings time permanent, and for other purposes.

S. 696

At the request of Mr. MERKLEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 696, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 890

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 890, a bill to authorize the Sergeant at Arms to protect the personal technology devices and accounts of Senators and covered employees from cyber attacks and hostile information collection activities, and for other purposes.

S. 948

At the request of Ms. KLOBUCHAR, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 948, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S. 1007

At the request of Mr. WARNER, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1007, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1032

At the request of Mr. PORTMAN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 1032, a bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain corporations.

S. 1119

At the request of Mr. UDALL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1119, a bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

S. 1438

At the request of Mrs. FEINSTEIN, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 1438, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 1703

At the request of Ms. CANTWELL, the names of the Senator from Arizona (Ms. SINEMA), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Virginia (Mr. Kaine), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Ms. SMITH) and the Senator from New Hampshire

(Mrs. SHAHEEN) were added as cosponsors of S. 1703, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1723

At the request of Mr. GARDNER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1723, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account.

S. 1757

At the request of Ms. ERNST, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1781

At the request of Mr. RUBIO, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1781, a bill to authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

S. 1817

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1817, a bill to amend the Richard B. Russell National School Lunch Act to improve nutritional and other program requirements relating to purchases of locally produced food.

S. 1908

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1908, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 1941

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1941, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1970

At the request of Ms. HIRONO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1970, a bill to secure the rights of public employees to organize, act concertedly, and bargain collectively, which safeguard the public interest and promote the free and unobstructed flow of commerce, and for other purposes.

S. 2003

At the request of Mr. MANCHIN, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2003, a bill to require the Federal Communications Commission to designate a 3-digit dialing code for veterans in crisis.

S. 2103

At the request of Mr. DURBIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2103, a bill to improve access to affordable insulin.

S. 2166

At the request of Mr. WICKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2166, a bill to designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

S. 2216

At the request of Mr. PETERS, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2216, a bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

S. 2446

At the request of Ms. SINEMA, her name was added as a cosponsor of S. 2446, a bill to provide certain coverage of audiologist services under the Medicare program, and for other purposes.

S. 2561

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 2565

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2565, a bill to establish a Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes.

S. 2570

At the request of Ms. SINEMA, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2599

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor

of S. 2599, a bill to amend the Department of Agriculture Reorganization Act of 1994 to provide assistance to manage farmer and rancher stress and for the mental health of individuals in rural areas, and for other purposes.

S. 2603

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2603, a bill to amend the Immigration and Nationality Act to end the immigrant visa backlog, and for other purposes.

S. 2641

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2641, a bill to promote United States national security and prevent the resurgence of ISIS, and for other purposes.

S. 2663

At the request of Mr. MORAN, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2663, a bill to amend title 49, United States Code, with respect to apportionments to small transit intensive cities, and for other purposes.

S. 2671

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 2671, a bill to build safer, thriving communities, and save lives by investing in effective violence reduction initiatives.

S. 2680

At the request of Mr. RUBIO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 2680, a bill to impose sanctions with respect to foreign support for Palestinian terrorism, and for other purposes.

S. 2691

At the request of Mr. UDALL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2691, a bill to establish the position of Ombudsman for Border and Immigration Enforcement Related Concerns in the Department of Homeland Security.

S.J. RES. 59

At the request of Mr. MCCONNELL, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S.J. Res. 59, a joint resolution expressing the sense of Congress on the precipitous withdrawal of United States Armed Forces from Syria and Afghanistan, and Turkey's unprovoked incursion into Syria.

S. RES. 73

At the request of Mr. RUBIO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 73, a resolution calling on the Kingdom of Saudi Arabia to immediately release Saudi Women's Rights activists and respect the fundamental rights of all Saudi citizens.

AMENDMENT NO. 994

At the request of Mr. MERKLEY, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 994 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1003

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 1003 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1044

At the request of Ms. SMITH, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from California (Mrs. FEINSTEIN), the Senator from Vermont (Mr. SANDERS) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 1044 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1113

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 1113 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1122

At the request of Mr. HEINRICH, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1122 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1128

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 1128 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1129

At the request of Mr. TOOMEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 1129 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the

fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1133

At the request of Mr. THUNE, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 1133 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1151

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of amendment No. 1151 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1164

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Maine (Ms. COLLINS), the Senator from Alabama (Mr. JONES), the Senator from North Dakota (Mr. CRAMER), the Senator from Georgia (Mr. PERDUE), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of amendment No. 1164 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1182

At the request of Mr. PETERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1182 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1184

At the request of Mr. KAINE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 1184 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## AMENDMENT NO. 1199

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1199 intended to be proposed to H.R. 3055, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Ms. SMITH):

S. 2723. A bill to amend the Federal Food, Drug, and Cosmetic Act to reduce drug storages, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation with my colleague from Minnesota, Senator TINA SMITH, to help prevent drug shortages. Our legislation has the support of the American Hospital Association, the American Society of Anesthesiologists, the American Society of Clinical Oncology, the American Society of Health-Systems Pharmacists, Premier, and the Institute for Safe Medication Practices.

I often hear from patients, pharmacists, and physicians who find themselves caught in the middle of a drug shortage, with very little certainty of when the problem might be resolved.

For example, Wayne is a kidney and bladder cancer patient who called my Portland office about a shortage of BCG. Wayne received several treatments, went into remission, and then was declined additional preventive treatments that his doctor recommended due to this shortage. Wayne sees his physician every 90 days, but he lives with the constant fear that his bladder cancer could return, and the time and uncertainty between his appointments weigh heavily on him.

I have also heard from patients living with a rare immunological disorder called Mast Cell Activation Syndrome who were affected by an IV Benadryl—diphenhydramine—shortage, as well as an Epi-pen shortage. One of these patients, a former nurse, spoke about the helplessness her family felt in trying to manage the shortage and was incredulous that shortages like these could be happening in a country like ours. She said, “I am an in-charge kind of person, but I cannot fix this.”

Physicians and hospitals try their best to manage these shortages behind the scenes but are understandably frustrated. Drug shortages add \$230 million a year to U.S. drug costs and \$216 million a year in increased labor costs. One of Maine’s largest health systems reports that they address approximately two new impactful shortages a week and have had to commit 3.5 unbudgeted full time employees to address them.

Another health system was experiencing 11 critical shortages and 30 less critical, ongoing shortages. For one drug, the hospital pharmacist was able to procure a supply of the drug in shortage but had to switch to a more expensive product at ten times the cost.

Our legislation, the Mitigating Emergency Drug Shortages Act of 2019, takes several steps to help FDA manage drug shortages. In the event of a likely drug shortage, our legislation gives FDA the authority to prioritize

review of abbreviated new drug applications and manufacturing inspections. It also improves the timely and effective coordination between those conducting manufacturing inspections and the FDA Office of Drug Shortages.

Our bill strengthens reporting requirements for pharmaceutical companies to disclose the root causes and expected duration of shortages. It also requires manufacturers to have contingency and redundancy plans to ensure the ongoing supply of essential medications. This is critical as we learn the lessons from Hurricane Maria in 2017 in Puerto Rico. Approximately 10 percent of drugs prescribed in the United States are manufactured in Puerto Rico.

Our bill also requires the Departments of Health and Human Services and the Department of Homeland Security to conduct a risk assessment of national security threats associated with the lack of adequate domestic capacity and capability for the manufacturing and distribution of certain critical drugs, their active pharmaceutical ingredients—APIs—and associated medical devices used for preparation or administration. Today, China and India are the world's largest suppliers of active pharmaceutical ingredients.

Finally, our legislation requires the Secretary to develop recommendations to incentivize manufacturers to enter the market for shortages as well as improve consumer notification of drug shortages.

I thank Senator SMITH for joining me in this effort to help combat this stubborn and persistent problem for patients and physicians. I encourage my colleagues to support its adoption.

Thank you,

By Mr. INHOFE:

S. 2731. An original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

Mr. INHOFE. Mr. President, for 58 years, the Congress has passed the National Defense Authorization Act with large bipartisan margins, and I believe we are going to do so again this year. In fact, we must. If it were up to me, it would have already been done by now.

People have to realize that this is the most important bill of the year. It is one that we have to do. We have to do it by the end of the year—and that is the end of December—or we are not going to fund our military. I mean, that is how serious it is.

I will keep working with my colleagues in the House and the Senate to get this done. I am going to say that again because there is an ugly rumor out there to the contrary. We are still working to get a comprehensive bill done. We are going to keep working on it.

It is even more important because of what happened over the weekend. Our

brave Special Operations forces successfully executed a dangerous mission to get ISIS leader al-Baghdadi, and it was successful. It was the right call by President Trump to bring down one of the most dangerous terrorists the world has ever seen, and it was successful.

It also underscored the importance of the annual Defense authorization bill. There is no better time to pass an NDAA—that is the national defense authorization bill—that puts our servicemembers and their families first than after a perilous operation demonstrating the bravery, service, and sacrifice of our troops, because it took a lot of people to pull this off. But to ensure that we give the men and women in the Armed Forces the tools they need to fight and win no matter what, we are filing a “skinny bill” today. Let me explain what that is.

We have to have a defense authorization. It has to happen. It is one that has happened for 58 years in a row. It has to happen. It has happened for 58 years in a row. If it has happened for 58 years in a row, it is going to continue to happen. We all know that.

The problem with that is, everybody knows it is going to pass. Consequently, people put more and more things on the bill, and many of the things have nothing to do with the military because they know the bill is going to pass. What happens is, then they decide to get everything in there, and consequently there are so many people lined up with different things they want to put on the Defense authorization bill that we have not been able to come to an agreement.

This has happened in the past. What happens is, in the event of the Defense authorization bill—this would be the largest bill of the year, the most significant bill of the year—if, for some reason, we are not able to pass it, military operations will stop.

A skinny bill is simple. It extends necessary authorities for military operations, takes care of servicemembers and their families, and authorizes essential military construction and acquisition programs. That is it. That is one paragraph. That is all it does. That part has to pass. At the end of the day, that is what we have to do by the end of this year, by the end of December.

There is this old document that nobody reads anymore; it is called the Constitution. If you read that, it says what we are really supposed to be doing, what is really important.

I say to my friend from West Virginia, out of all the things we do, sometimes they are not all that significant. This is that significant. That is why this is important. It is going to pass. We ought to make sure it passes.

By introducing this as a skinny bill, it takes out everything that has nothing to do with the military, and we just pass the bill to take care of our troops.

Here on Capitol Hill, the NDAA—National Defense Authorization Act—is an institution itself, the last bill of its

kind, an authorization bill that passes every year.

We always have disagreements within and between parties on the future of national security, but we have always managed to overcome those divisions to support our military. This year is not going to be any different.

Earlier this year, I worked with my Democratic colleague Senator JACK REED to produce a bipartisan NDAA in the Senate. We did a great job. We spent hours on it, but we ultimately passed it out of committee almost unanimously—Democrats and Republicans alike. We brought it to the floor, and we passed it.

It is not the bill where JACK REED and JIM INHOFE would necessarily agree on every aspect, but these are tough decisions, and we had to make decisions, so we made decisions. Consequently, when it came up to the floor, it passed by 86 to 6. Only six people opposed it in this entire body.

The same has to be true with any kind of agreement on fiscal year 2020 NDAA. That bill would require 60 votes in the Senate. It will require Republican votes in the House. The bill that came out of the House, from the House committee on the Defense authorization bill, didn't have one Republican voting for it. Obviously, it has to have Republicans in the House vote for it. It has to pass by a 60-percent margin. There is no other way it can be done.

We continue making progress. We know we can't pass a bill with as many partisan provisions as we saw in the House bill—things like unprecedented restrictions on the President's ability to defend America, defend the Nation, and putting social agenda above the needs of our troops. Unfortunately, the same problem that is slowing progress on the NDAA is also stalling the appropriations process.

When I supported the Bipartisan Budget Act of 2019, I argued that a lower topline was acceptable if it got us on-time passage of the NDAA and the defense funding, but now we are facing a delayed NDAA and the real possibility of a full-year continuing resolution. This is unacceptable.

The Department of Defense has never operated under a full-year CR. A CR is a continuing resolution. A CR would simply be disastrous. What it says is, we are going to do the same thing for the military and the rest of the government as we did last year. Well, the needs have changed. We have new programs that have to be authorized and have to be voted on. It would be a huge waste of taxpayers' money if we were unable to get this thing done.

We know a full-year CR would press pause on hundreds of new weapons programs and leave tens of billions of dollars in the wrong places.

We had a meeting where we had General Martin testify. He is the Vice Chief of Staff of the Army. For the Army alone, he said we would be looking at delays to new-start programs and increased costs of 37 programs, totaling \$7 billion. That is according to



the Vice Chief of Staff of the Army. That is the Army alone. The total failure is going to be somewhere around \$22 billion that would be lost.

All said, this would put work rebuilding our military even further behind and waste enormous amounts of taxpayer dollars.

The national defense strategy—that is this book. This is kind of interesting because this book was put together by Democrats and Republicans, all with expertise and a background in the military, equal number of Democrats and Republicans, and they all agreed that this was going to be our defense strategy. They have a National Defense Strategy Committee. That national defense strategy provided a clear vision of the serious challenges it faces and the necessity of “urgent change at significant scale.” That is what Secretary Mattis stated.

Failure to pass an NDAA and accepting a full-year CR would stop our Nation’s defense strategy in its tracks. It would undo all the good work we have done with Secretary Esper, the President of the United States, the Pentagon, as well as our partners, to follow the recommendations of the NDS Commission report.

This is not just inside-the-beltway gridlock. The world is watching. Our allies and our enemies are watching. They want to know if America is serious about its role in the world and its own national defense.

Failure to pass basic legislation on a timely basis to support our military sends a terrible signal that undermines our national security. Think of the signal that sends to our troops who are out there risking their lives to defend us here at home.

Caring for our troops is about the only thing anyone in this town agrees on. If we lose that bipartisan support, it will be hard to get it back, and we need it now more than ever.

China and Russia. This is interesting because we didn’t used to be that concerned about them. I would say that during the Obama administration, his priorities were not the same. He was very honest about it. He had other priorities. So we didn’t do the job we should have done at that time for our military. China and Russia are not waiting around for us to end our disagreements with each other.

During the last administration, under Obama, our military funding decreased by 25 percent. Between the years of 2010 and 2015, we decreased the amount of funding for our military in that administration by 25 percent. Meanwhile, China had increased spending by 83 percent over the last decade. Think about it. China increased its spending by 83 percent, and we reduced ours by 25 percent.

They are continuing a campaign of aggression, building islands in the South China Sea. Our allies over in the South China Sea are watching what China is doing there and around the world and what we are not doing. They

have come to the conclusion that a third world war may be imminent, and they are not sure whose side they want to be on.

This chart I am showing right here is a picture of hypersonic weapons. These are state-of-the-art weapons. These are missiles that travel at five times the speed of sound. This is something we were ahead on during the beginning of the previous administration, and we are now behind. Right now, China is parading dozens of massive hypersonic missiles, and we have haven’t even built one yet.

There they are. That is a picture I haven’t seen until today. Those are hypersonic weapons, and they were on Tiananmen Square on October 1, 2019. A lot of people didn’t know that they are—they have not just caught up with us; they have passed us. We haven’t built one yet, and there they are.

People don’t realize where China and Russia are. That is China, but Russia continues to develop new and dangerous nuclear weapons, while it expands its influence in the Middle East and elsewhere.

I have no doubt that a united America can face these challenges. I fear that a divided America—a country that allows defending America to be a partisan issue—cannot.

The path to a final defense bill is, as it always has been, bipartisan. The Defense authorization bill has historically enjoyed broad bipartisan support, and that is not an accident. Both parties have compromised to get a bill worthy of our troops and worthy of our troops’ sacrifices.

I hope we get to a place where we can find common ground to give our troops and military a comprehensive bill. That is what we want to continue to do.

We have been working on this bill for a long period of time. Normally, it doesn’t take this long. We have gotten it down to what they call the four leaders. I am one of those four leaders who have been trying to put this together, but we have not been able to get it done.

What we are doing with this bill is we are putting the bill up. We are going to get it on the floor so we can be ready.

Here is the problem: If we don’t do it, we can sit around and do nothing through the month of November, and when December gets here, all of a sudden, we are going to be faced with the fact that we are going to have some bill that takes care of just the military, not all the other stuff that is on the bill. To do this, you have to pass it out of committee. You have to take it to the floor of the Senate. You have to pass it out. Then, if you get that far, the House has to do the same thing. Then we go into conference, and we confer on this thing.

Obviously, that is going to take not just days but weeks. So to prepare for the unlikely possibility that we don’t get together, we do have the skeleton bill that we are going to introduce. I

am going to introduce it an hour from now. It is the only thing we can do right now to make sure we can take care of our troops if we are not able to get the comprehensive bill completed. That is the reason for it. I will be introducing it.

Every provision in that bill is a provision to enhance our military efforts, to pay our troops, and to take care of our country the way we have been able to do in the past.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1213. Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GARDNER, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table.

SA 1214. Mr. HOEVEN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1215. Ms. MCSALLY (for herself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1216. Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1217. Mr. REED submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1218. Mr. TILLIS (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1219. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1220. Ms. COLLINS (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1221. Mr. LEE submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1222. Mr. LEE submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1223. Ms. STABENOW (for herself, Ms. SMITH, Mr. CASEY, Mr. DURBIN, Mr. MENENDEZ, Mr. BOOKER, Mrs. MURRAY, Mr. WYDEN, Mr. BROWN, Ms. DUCKWORTH, Ms. HIRONO, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1224. Mr. CORNYN (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1225. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1226. Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. FEINSTEIN, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1227. Mr. SCHUMER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1228. Mr. SCHUMER (for himself, Mr. BROWN, Mr. CASEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. WARREN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1229. Mr. PETERS (for himself, Ms. STABENOW, Mr. JONES, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1230. Ms. SMITH submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1231. Mr. LEE submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1232. Mr. INHOFE (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1233. Mr. INHOFE (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1234. Ms. MCSALLY (for herself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1235. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1236. Mr. TILLIS (for himself, Mr. GARDNER, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1237. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1238. Mr. MANCHIN (for himself, Mr. CASEY, Mr. KAINE, Mr. JONES, Mr. WARNER, Ms. SINEMA, Mr. SANDERS, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BROWN, Mr. DURBIN, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1239. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, supra; which was ordered to lie on the table.

SA 1240. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 916, to improve Federal efforts with respect to the prevention of maternal

mortality, and for other purposes; which was referred to the Committee on Finance.

## TEXT OF AMENDMENTS

**SA 1213.** Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GARDNER, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### TITLE —TRAVEL PROMOTION

#### SEC. 01. SHORT TITLE.

This title may be cited as the “Brand USA Extension Act”.

#### SEC. 02. THE CORPORATION FOR TRAVEL PROMOTION.

Subsection (b) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(b)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (ii), by inserting “or foodservice” after “restaurant”;

(B) in clause (v), by inserting “, such as outdoor recreation or theme parks” before the semicolon at the end; and

(C) in clause (viii), by inserting “commercial or private” before “passenger air sector”;

(2) in paragraph (5)(A)—

(A) in clause (iii), by inserting “speaking conventions, sales missions,” after “trade shows,”;

(B) in clause (iv), by striking “and” at the end;

(C) in clause (v), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following:

“(vi) to promote tourism to the United States through digital media, online platforms, and other appropriate medium.”; and

(3) in paragraph (7)(C), by striking “3 days” and inserting “5 days”.

#### SEC. 03. ACCOUNTABILITY MEASURES.

Subsection (c) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(c)) is amended—

(1) in paragraph (2), by striking “\$500,000” and inserting “\$450,000”; and

(2) in paragraph (3)—

(A) by redesignating subparagraph (I) as subparagraph (K);

(B) in subparagraph (H)(iii), by striking “and” at the end; and

(C) by inserting after subparagraph (H)(iii) the following:

“(I) a list of countries the Corporation identifies as emerging markets for tourism to the United States;

“(J) a description of the efforts the Corporation has made to promote tourism to rural areas of the United States; and”.

#### SEC. 04. EXTENSION OF FUNDING FOR BRAND USA.

Subsection (d) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)) is amended—

(1) in paragraph (2)(B), by striking “2020” and inserting “2027”;

(2) in paragraph (3)(B)(ii), by striking “70 percent” and inserting “50 percent”; and

(3) in paragraph (4)(B), by striking “2020” and inserting “2027”.

#### SEC. 05. PERFORMANCE PLAN.

Not later than 90 days after the date of the enactment of this Act, the Corporation for Travel Promotion shall make the performance metrics established pursuant to subsection (f)(1)(A) of the Travel Promotion Act

of 2009 (22 U.S.C. 2131(f)(1)(A)) publicly available on the website of the Corporation.

#### SEC. 06. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION FEE INCREASE.

Section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) is amended by striking “\$10” and inserting “\$17”.

**SA 1214.** Mr. HOEVEN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under the heading “OPERATIONS” under the heading “FEDERAL AVIATION ADMINISTRATION” in title I of division D, insert the following: “*Provided further*, That of the funds appropriated under this heading, not less than \$5,000,000 shall be used for a veterans pilot training competitive grant program.”.

**SA 1215.** Ms. MCSALLY (for herself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 311, line 2, insert “*Provided further*, That not later than 90 days after the date of enactment of this Act, the Chief of the Forest Service shall submit to the Committees on Appropriations and Natural Resources of the House of Representatives and the Committees on Appropriations and Energy and Natural Resources of the Senate a report detailing the status of efforts to accelerate forest ecosystem restoration under the Four Forest Restoration Initiative.” after “7303(f).”.

**SA 1216.** Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7\_\_\_\_. (a) There is appropriated \$600,000 to carry out section 6306 of the Agriculture Improvement Act of 2018 (7 U.S.C. 2204b-3).

(b) Notwithstanding any other provision of this Act, the amount appropriated under this Act to the Department of Agriculture under the heading “OFFICE OF THE CHIEF FINANCIAL OFFICER” shall be reduced by \$600,000.

**SA 1217.** Mr. REED submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and

Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7 \_\_\_\_\_. (a) Notwithstanding any other provision of this Act, the amount appropriated under the heading "SALARIES AND EXPENSES" under the heading "ANIMAL AND PLANT HEALTH INSPECTION SERVICE" in title I shall be increased by \$1,000,000, to remain available until expended, which shall be for surveillance, testing, prevention, and research relating to Eastern equine encephalitis in impacted States.

(b) Notwithstanding any other provision of this Act, the amount appropriated under this Act to the Department of Agriculture under the heading "OFFICE OF THE CHIEF FINANCIAL OFFICER" shall be reduced by \$1,000,000.

**SA 1218.** Mr. TILLIS (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 223, between lines 13 and 14, insert the following:

SEC. 7 \_\_\_\_\_. Notwithstanding subsections (d) and (e) of section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c) or any other provision of law, beginning in crop year 2020, tobacco shall be an eligible agricultural commodity under the Market Facilitation Program conducted pursuant to that section.

**SA 1219.** Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 237, line 7, insert "": *Provided further*, That the Service shall issue guidance to field offices for streamlining consultations under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) relating to Federal actions that authorize, fund, or carry out an activity that is covered by an approved Habitat Conservation Plan, is permitted under section 10(a)(1)(B) of that Act (16 U.S.C. 1539(a)(1)(B)), and affects a species that is listed as a threatened or endangered species under that Act (16 U.S.C. 1531 et seq.) and covered by the approved Habitat Conservation Plan" before the period at the end.

**SA 1220.** Ms. COLLINS (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 338, line 22, at the appropriate place insert the following: "*Provided further*, That of the funds appropriated herein, not less than \$3,700,000 shall be made available for the Women's History Initiative."

**SA 1221.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under the heading "OPERATIONS" under the heading "FEDERAL AVIATION ADMINISTRATION" in title I of division D, insert the following: "*Provided further*, That the Administrator of the Federal Aviation Administration shall use funds appropriated under this heading to publish guidance describing how a pilot may share flight expenses with passengers in a manner consistent with Federal law, including regulations, as required under section 515 of Public Law 115-254."

**SA 1222.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under the heading "OPERATIONS" under the heading "FEDERAL AVIATION ADMINISTRATION" in title I of division D, insert the following: "*Provided further*, That the amount herein appropriated shall be reduced by \$100,000 for each day after December 31, 2019, that the guidance describing how a pilot may share flight expenses with passengers in a manner consistent with Federal law, including regulations, is not published as required under section 515 of Public Law 115-254."

**SA 1223.** Ms. STABENOW (for herself, Ms. SMITH, Mr. CASEY, Mr. DURBIN, Mr. MENENDEZ, Mr. BOOKER, Mrs. MURRAY, Mr. WYDEN, Mr. BROWN, Ms. DUCKWORTH, Ms. HIRONO, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7 \_\_\_\_\_. (a) There is appropriated \$5,000,000 to carry out section 222 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923).

(b) Notwithstanding any other provision of this Act, the amount provided under the heading "AGRICULTURE BUILDINGS AND FACILITIES" under the heading "AGRICULTURAL PROGRAMS" in title I shall be reduced by \$6,000,000.

**SA 1224.** Mr. CORNYN (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year

ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 223, between lines 13 and 14, insert the following:

SEC. 7 \_\_\_\_\_. (a) There is appropriated \$2,000,000 to carry out section 30 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036d).

(b) Notwithstanding any other provision of this Act, the amount provided under the heading "AGRICULTURE BUILDINGS AND FACILITIES" under the heading "AGRICULTURAL PROGRAMS" in title I shall be reduced by \$2,000,000.

**SA 1225.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 458, line 18, insert "the family unification program under section 8(x) of the Act," after "the Act,".

**SA 1226.** Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. FEINSTEIN, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division C, insert the following:

#### OIL AND GAS PROGRAM LEASE SALE REQUIREMENT

##### SEC. 1 \_\_\_\_\_.

None of the funds made available to the Secretary of the Interior by this or any other Act may be used to conduct a lease sale pursuant to section 20001(c)(1) of Public Law 115-97 (16 U.S.C. 3143 note) that does not contain a national minimum acceptable bid amount sufficient to produce Federal receipts to the Treasury, net of any State share, of not less than an amount equal to 50 percent of the amount required by section 2001(b) of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018, as agreed to on October 26, 2017.

**SA 1227.** Mr. SCHUMER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division C, insert the following:

#### SEC. 1 \_\_\_\_\_. GAO STUDY ON OUTDOOR RECREATION.

##### (a) DEFINITIONS.—In this section:

(1) COVERED AGENCY.—The term "covered agency" means—

- (A) the Department of Agriculture;
- (B) the Department of the Interior;
- (C) the Corps of Engineers;
- (D) the National Marine Fisheries Service; and

(E) the Office of National Marine Sanctuaries of the National Oceanic and Atmospheric Administration.

(2) **OUTDOOR RECREATION.**—The term “outdoor recreation” means all recreational activities undertaken for pleasure that—

(A) generally involve some level of intentional physical exertion; and

(B) occur in nature-based environments outdoors.

(b) **STUDY REQUIRED.**—The Comptroller General of the United States shall conduct a study that—

(1) identifies each program carried out by a covered agency that directly impacts the outdoor recreation sector, including each program that affects the management and conservation of, and access to, the land, waters, and natural resources of the United States; and

(2) describes, for each program identified under paragraph (1), the spending level for that program during each of the 20 fiscal years preceding the year in which the report is submitted.

(c) **REQUIRED COORDINATION.**—In conducting the study under subsection (b), the Comptroller General of the United States shall coordinate with the outdoor recreation industry, nongovernmental organizations, the Bureau of Economic Analysis of the Department of Commerce, and other interested stakeholders.

(d) **REPORT.**—Not later than 240 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that describes the results of the study conducted under subsection (b).

**SA 1228.** Mr. SCHUMER (for himself, Mr. BROWN, Mr. CASEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. WARREN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV of division C, insert the following:

**NATIONAL HERITAGE AREAS AND NATIONAL HERITAGE CORRIDORS**

**SEC. 4.** (a) Section 512 of Title V of Division J of P.L. 108-447 is amended by striking “on the date that is 15 years after the date that funds are first made available for this title.” and inserting “after September 30, 2022.”

(b) Section 608 of Title VI of Division J of P.L. 108-447 is amended by striking “the expiration of the 15-year period beginning on the date that funds are first made available for this title.” and inserting “September 30, 2022.”

(c) Section 109 of Title I of Public Law 103-449, as amended by Public Law 111-11, title VIII section 8201(c), is further amended by striking “\$15,000,000” and inserting “\$17,000,000”.

(d) Section 810(a)(1) of Title VIII of Division B of Appendix D of Public Law 106-554, as amended by Public Law 115-31, Division G, Title I section 115(b), is further amended by striking “\$12,000,000” and inserting “\$14,000,000”.

**SA 1229.** Mr. PETERS (for himself, Ms. STABENOW, Mr. JONES, and Mr. TESTER) submitted an amendment intended to be proposed to amendment

SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

**SEC. 7.** (a) Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary of Agriculture (referred to in this section as the “Secretary”) may use for the cost of loan guarantees not more than \$30,000,000 to carry out the interest rate reduction program established under section 351 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1999).

(b)(1) Not later than 90 days after the date of enactment of this Act, the Secretary shall advertise to current borrowers the process and opportunity by which a borrower may, pursuant to section 331A(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981a(a)), request deferral of principal and interest in order to forgo foreclosure.

(2) The Secretary shall submit a quarterly report describing the number of requests under paragraph (1) submitted, approved, and denied to—

(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(B) the Committee on Agriculture of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

(c) For purposes of providing equitable relief under section 366 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008a), the Secretary may consider a good faith claim of a borrower of misunderstanding due to ambiguous or unclear guidance or a change in normal procedure to be reliance on the advice of the Secretary under subsection (b)(2) of that section.

(d) The amounts made available under this section are designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

**SA 1230.** Ms. SMITH submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—FAIR COMPENSATION FOR LOW-WAGE CONTRACTOR EMPLOYEES ACT OF 2019**

**SECTION 1. SHORT TITLE.**

This division may be cited as the “Fair Compensation for Low-Wage Contractor Employees Act of 2019”.

**SEC. 2. APPROPRIATION.**

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, to remain available until expended, for each Federal agency subject to the lapse in appropriations that began on or about December 22, 2018, for adjustments in the price of contracts of such agency under section 3.

**SEC. 3. BACK COMPENSATION FOR LOW-WAGE EMPLOYEES OF GOVERNMENT CONTRACTORS IN CONNECTION WITH THE LAPSE IN APPROPRIATIONS.**

(a) **IN GENERAL.**—Each Federal agency subject to the lapse in appropriations that began on or about December 22, 2018, shall adjust the price of any contract of such agency for which the contractor was ordered to suspend, delay, or interrupt all or part of the work of such contract, or stop all or any part of the work called for in such contract, as a result of the lapse in appropriations to compensate the contractor for reasonable costs incurred—

(1) to provide compensation, at an employee’s standard rate of compensation, to any employee who was furloughed or laid off, or who was not working, who experienced a reduction of hours, or who experienced a reduction in compensation, as a result of the lapse in appropriations (for the period of the lapse); or

(2) to restore paid leave taken by any employee during the lapse in appropriations, if the contractor required employees to use paid leave as a result of the lapse in appropriations.

(b) **LIMITATION ON AMOUNT OF WEEKLY COMPENSATION COVERED BY ADJUSTMENT.**—The maximum amount of weekly compensation of an employee for which an adjustment may be made under subsection (a) may not exceed the lesser of—

(1) the employee’s actual weekly compensation; or

(2) \$965.

(c) **TIMING OF ADJUSTMENTS.**—The adjustments required by subsection (a) shall be made as soon as practicable after the enactment of this Act.

(d) **DEFINITIONS.**—In this section:

(1) The term “compensation” has the meaning given that term in section 6701 of title 41, United States Code.

(2) The term “employee” means the following:

(A) A “service employee” as that term is defined in section 6701(3) of title 41, United States Code, except that the term also includes service employees described in subparagraph (C) of that section notwithstanding that subparagraph.

(B) A “laborer or mechanic” covered by section 3142 of title 40, United States Code.

**SEC. 4. EFFECTIVE DATE.**

This division shall take effect upon the date of enactment of this Act.

**SEC. 5. BUDGETARY EFFECTS.**

(a) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(b) **DETERMINATION OF BUDGETARY EFFECTS.**—The budgetary effects of this division, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this division, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**SA 1231.** Mr. LEE submitted an amendment intended to be proposed to

amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV of division C, insert the following:

PROHIBITION ON USE OF FUNDS TO PROHIBIT THE USE OF UNMANNED AERIAL VEHICLES FOR MANAGING TELECOMMUNICATIONS INFRASTRUCTURE ON FEDERAL LAND

SEC. 4. None of the funds made available by this Act may be used to prohibit a telecommunications provider from using an unmanned aerial vehicle for surveying, maintaining, or managing telecommunications infrastructure on Federal land.

**SA 1232.** Mr. INHOFE (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division D, insert the following:

SEC. . (a) IN GENERAL.—Section 625(c)(1) of the FAA Reauthorization Act of 2018 (Public Law 115-254) is amended—

(1) in subparagraph (C), by striking “or” after the semicolon;

(2) in subparagraph (D), by striking the period and inserting “; or”; and

(3) by adding at the end the following: “(E) an organization representing aircraft users, aircraft owners, or aircraft pilots.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the FAA Reauthorization Act of 2018 (Public Law 115-254).

**SA 1233.** Mr. INHOFE (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, line 12, strike “initiatives;” and insert “initiatives: *Provided*, That not more than 2 percent of any grant awarded using funds made available under this paragraph may be used by a State administrative agency for administrative costs;”.

**SA 1234.** Ms. MCSALLY (for herself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. 2. Not later than 90 days after the date of enactment of this Act, the Attorney

General shall submit a report to the Committee on Appropriations and the Committee on the Judiciary of the Senate detailing the efforts of the Department of Justice to combat and enforce animal fighting and animal welfare statutes, which shall include—

(1) a break down of the number of personnel dedicated to animal welfare crimes on a full-time basis, including their respective departmental component;

(2) a list of all cases involving animal welfare crimes that the Department of Justice has prosecuted since 2014;

(3) a list of investigations that were referred to the Department of Justice that have been delayed or declined to be prosecuted by the Department of Justice and the reason for any deferral or declination; and

(4) a qualitative description of how the Department of Justice coordinates the efforts of the Department with other governmental partners to ensure proper enforcement of animal welfare laws.

**SA 1235.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in paragraph (2) under the heading “TENANT-BASED RENTAL ASSISTANCE” under the heading “PUBLIC AND INDIAN HOUSING” in title II of division D, insert the following: “the family unification program under section 8(x) of the Act.”

**SA 1236.** Mr. TILLIS (for himself, Mr. GARDNER, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division A, insert the following:

SEC. . None of the funds appropriated by this Act may be used to enforce the safeguard measure imposed under section 203 of the Trade Act of 1974 (19 U.S.C. 2253) with respect to bifacial solar modules pursuant to Presidential Proclamation 9693, issued on January 23, 2018 (83 Federal Register 3541).

**SA 1237.** Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. 90. REPORT ON MAINTAINING FEDERAL LAND HOLDINGS.**

Not later than 120 days after the date on which the President submits to Congress the budget of the United States for fiscal year 2020, the President shall submit to Congress a report that describes—

(1) all Federal land holdings; and  
(2) the total cost of maintaining the Federal land holdings described under paragraph

(1) for each of fiscal years 2017 through 2019, including an accounting of holdings and expenditures by each Federal agency with respect to the land holdings.

**SA 1238.** Mr. MANCHIN (for himself, Mr. CASEY, Mr. KAINE, Mr. JONES, Mr. WARNER, Ms. SINEMA, Mr. SANDERS, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BROWN, Mr. DURBIN, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . AMERICAN MINERS ACT OF 2019.**

(a) TRANSFERS TO 1974 UMW PENSION PLAN.—

(1) IN GENERAL.—Subsection (i) of section 402 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232) is amended—

(A) in paragraph (3)(A), by striking “\$490,000,000” and inserting “\$750,000,000”; and

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) ADDITIONAL AMOUNTS.—

“(A) CALCULATION.—If the dollar limitation specified in paragraph (3)(A) exceeds the aggregate amount required to be transferred under paragraphs (1) and (2) for a fiscal year, the Secretary of the Treasury shall transfer an additional amount equal to the difference between such dollar limitation and such aggregate amount to the trustees of the 1974 UMW Pension Plan to pay benefits required under that plan.

“(B) CESSATION OF TRANSFERS.—The transfers described in subparagraph (A) shall cease as of the first fiscal year beginning after the first plan year for which the funded percentage (as defined in section 432(j)(2) of the Internal Revenue Code of 1986) of the 1974 UMW Pension Plan is at least 100 percent.

“(C) PROHIBITION ON BENEFIT INCREASES, ETC.—During a fiscal year in which the 1974 UMW Pension Plan is receiving transfers under subparagraph (A), no amendment of such plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986.

“(D) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.—The amount of any transfer made under subparagraph (A) (and any earnings attributable thereto) shall be disregarded in determining the unfunded vested benefits of the 1974 UMW Pension Plan and the allocation of such unfunded vested benefits to an employer for purposes of determining the employer’s withdrawal liability under section 4201 of the Employee Retirement Income Security Act of 1974.

“(E) REQUIREMENT TO MAINTAIN CONTRIBUTION RATE.—A transfer under subparagraph (A) shall not be made for a fiscal year unless the persons that are obligated to contribute to the 1974 UMW Pension Plan on the date of the transfer are obligated to make the contributions at rates that are no less than those in effect on the date which is 30 days

before the date of enactment of the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020.

“(F) ENHANCED ANNUAL REPORTING.—

“(i) IN GENERAL.—Not later than the 90th day of each plan year beginning after the date of enactment of the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020, the trustees of the 1974 UMW Pension Plan shall file with the Secretary of the Treasury or the Secretary's delegate and the Pension Benefit Guaranty Corporation a report (including appropriate documentation and actuarial certifications from the plan actuary, as required by the Secretary of the Treasury or the Secretary's delegate) that contains—

“(I) whether the plan is in endangered or critical status under section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 as of the first day of such plan year;

“(II) the funded percentage (as defined in section 432(j)(2) of such Code) as of the first day of such plan year, and the underlying actuarial value of assets and liabilities taken into account in determining such percentage;

“(III) the market value of the assets of the plan as of the last day of the plan year preceding such plan year;

“(IV) the total value of all contributions made during the plan year preceding such plan year;

“(V) the total value of all benefits paid during the plan year preceding such plan year;

“(VI) cash flow projections for such plan year and either the 6 or 10 succeeding plan years, at the election of the trustees, and the assumptions relied upon in making such projections;

“(VII) funding standard account projections for such plan year and the 9 succeeding plan years, and the assumptions relied upon in making such projections;

“(VIII) the total value of all investment gains or losses during the plan year preceding such plan year;

“(IX) any significant reduction in the number of active participants during the plan year preceding such plan year, and the reason for such reduction;

“(X) a list of employers that withdrew from the plan in the plan year preceding such plan year, and the resulting reduction in contributions;

“(XI) a list of employers that paid withdrawal liability to the plan during the plan year preceding such plan year and, for each employer, a total assessment of the withdrawal liability paid, the annual payment amount, and the number of years remaining in the payment schedule with respect to such withdrawal liability;

“(XII) any material changes to benefits, accrual rates, or contribution rates during the plan year preceding such plan year;

“(XIII) any scheduled benefit increase or decrease in the plan year preceding such plan year having a material effect on liabilities of the plan;

“(XIV) details regarding any funding improvement plan or rehabilitation plan and updates to such plan;

“(XV) the number of participants and beneficiaries during the plan year preceding such plan year who are active participants, the number of participants and beneficiaries

in pay status, and the number of terminated vested participants and beneficiaries;

“(XVI) the information contained on the most recent annual funding notice submitted by the plan under section 101(f) of the Employee Retirement Income Security Act of 1974;

“(XVII) the information contained on the most recent Department of Labor Form 5500 of the plan; and

“(XVIII) copies of the plan document and amendments, other retirement benefit or ancillary benefit plans relating to the plan and contribution obligations under such plans, a breakdown of administrative expenses of the plan, participant census data and distribution of benefits, the most recent actuarial valuation report as of the plan year, copies of collective bargaining agreements, and financial reports, and such other information as the Secretary of the Treasury or the Secretary's delegate, in consultation with the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, may require.

“(ii) ELECTRONIC SUBMISSION.—The report required under clause (i) shall be submitted electronically.

“(iii) INFORMATION SHARING.—The Secretary of the Treasury or the Secretary's delegate shall share the information in the report under clause (i) with the Secretary of Labor.

“(iv) PENALTY.—Any failure to file the report required under clause (i) on or before the date described in such clause shall be treated as a failure to file a report required to be filed under section 6058(a) of the Internal Revenue Code of 1986, except that section 6652(e) of such Code shall be applied with respect to any such failure by substituting ‘\$100’ for ‘\$25’. The preceding sentence shall not apply if the Secretary of the Treasury or the Secretary's delegate determines that reasonable diligence has been exercised by the trustees of such plan in attempting to timely file such report.

“(G) 1974 UMW PENSION PLAN DEFINED.—For purposes of this paragraph, the term ‘1974 UMW Pension Plan’ has the meaning given the term in section 9701(a)(3) of the Internal Revenue Code of 1986, but without regard to the limitation on participation to individuals who retired in 1976 and thereafter.”

(2) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to fiscal years beginning after September 30, 2016.

(B) REPORTING REQUIREMENTS.—Section 402(i)(4)(F) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(i)(4)(F)), as added by this subsection, shall apply to plan years beginning after the date of the enactment of this Act.

(b) INCLUSION IN MULTIEMPLOYER HEALTH BENEFIT PLAN.—Section 402(h)(2)(C) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)) is amended—

(1) by striking “the Health Benefits for Miners Act of 2017” both places it appears in clause (ii) and inserting “the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020”;

(2) by striking “, would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015” in clause (ii)(II) and inserting “or a related coal wage agreement, would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012, 2015, 2018, or 2019”;

(3) by striking “the date of the enactment of the Health Benefits for Miners Act of

2017” each place it appears in clause (ii) and inserting “the date of the enactment of the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020”;

(4) by striking “January 1, 2017” in clause (ii) and inserting “January 1, 2019”; and

(5) by adding at the end the following new clause:

“(vi) RELATED COAL WAGE AGREEMENT.—For purposes of clause (ii), the term ‘related coal wage agreement’ means an agreement between the United Mine Workers of America and an employer in the bituminous coal industry that—

“(I) is a signatory operator; or

“(II) is or was a debtor in a bankruptcy proceeding that was consolidated, administratively or otherwise, with the bankruptcy proceeding of a signatory operator or a related person to a signatory operator (as those terms are defined in section 9701(c) of the Internal Revenue Code of 1986).”

(c) REDUCTION IN MINIMUM AGE FOR ALLOWABLE IN-SERVICE DISTRIBUTIONS.—

(1) IN GENERAL.—Section 401(a)(36) of the Internal Revenue Code of 1986 is amended by striking “age 62” and inserting “age 59½”.

(2) APPLICATION TO GOVERNMENTAL SECTION 457(b) PLANS.—Clause (i) of section 457(d)(1)(A) of the Internal Revenue Code of 1986 is amended by inserting “(in the case of a plan maintained by an employer described in subsection (e)(1)(A), age 59½)” before the comma at the end.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to plan years beginning after December 31, 2019.

(d) BLACK LUNG LIABILITY TRUST FUND EXCISE TAX.—

(1) IN GENERAL.—Section 4121(e) of the Internal Revenue Code of 1986 is amended—

(A) by striking “after the temporary increase termination date” in paragraph (1) and inserting “during any temporary increase inapplicable period”, and

(B) by amending paragraph (2) to read as follows:

“(2) TEMPORARY INCREASE INAPPLICABLE PERIOD.—For purposes of paragraph (1), the term ‘temporary increase inapplicable period’ means—

“(A) the period beginning on January 1, 2019, and ending on December 31, 2019, and

“(B) the period beginning on the earlier of—

“(i) January 1, 2029, or

“(ii) the first January 1 after 2007 as of which there is—

“(I) no balance of repayable advances made to the Black Lung Disability Trust Fund, and

“(II) no unpaid interest on such advances.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to sales after December 31, 2019.

**SA 1239.** Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 948 proposed by Mr. SHELBY to the bill H.R. 3055, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. \_\_\_\_ (a) Section 907(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387g(a)) is amended—



(1) in paragraph (1), by adding at the end the following:

“(C) SPECIAL RULE FOR ELECTRONIC NICOTINE DELIVERY SYSTEMS.—Beginning 90 days after the date of enactment of the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020, an electronic nicotine delivery system or any of its components or parts (including e-liquid) shall not contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco) or an herb or spice, including strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, coffee, menthol, or mint that is a characterizing flavor of the electronic nicotine delivery system or e-liquid. Nothing in this subparagraph shall be construed to limit the Secretary’s authority to take action under this section or other sections of this Act applicable to any artificial or natural flavor, herb, or spice not specified in this subparagraph.”; and

(2) by adding at the end the following:

“(7) ELECTRONIC NICOTINE DELIVERY SYSTEM STANDARDS.—Not later than 1 year after the date of enactment of the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020, the Secretary shall promulgate regulations setting forth standards on the permissible design of electronic nicotine delivery systems, and issue guidance for manufacturers to implement such standards. Such standards, at a minimum, shall—

“(A) prohibit refillable components or parts;

“(B) prohibit any electronic nicotine delivery system designed to look like combustible cigarettes or commonplace, nonmedical devices, such as pens or USB flash drives; and

“(C) require each electronic nicotine delivery system and its components and parts to be tamper-proof.”.

(b)(1) Section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387) is amended—

(A) by redesignating paragraphs (8) through (22) as paragraphs (10) through (24); and

(B) by inserting after paragraph (7) the following:

“(8) ELECTRONIC NICOTINE DELIVERY SYSTEM.—

“(A) IN GENERAL.—The term ‘electronic nicotine delivery system’—

“(i) means noncombustible tobacco products, including vapes, vaporizers, vape pens, hookah pens, electronic cigarettes (also known as ‘e-cigarettes’ or ‘e-cigs’), and e-pipes that deliver an aerosolized e-liquid that may contain nicotine, as well as varying compositions of flavorings, propylene glycol, vegetable glycerin, and other ingredients; and

“(ii) includes components and parts, such as e-liquids, tanks, cartridges, pods, wicks, and atomizers.

“(B) COMPONENTS AND PARTS.—The term ‘components and parts’, with respect to an electronic nicotine delivery system, means the objects intended or reasonably expected to be used with, or for, the human consumption of a tobacco product that are not accessories.

“(9) E-LIQUID.—The term ‘e-liquid’ means liquid nicotine, nicotine containing liquids (including liquid nicotine combined with colorings, flavorings, or other ingredients), and liquids that do not contain nicotine or

other material made or derived from tobacco, but that are intended or reasonably expected to be used with or for the human consumption of a tobacco product.”.

(2) Section 9(1) of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4408(1)) is amended by striking “section 900(18)” and inserting “section 900(20)”.

SEC. \_\_\_\_\_. (a) Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in consultation with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, the Director of the Centers for Disease Control and Prevention, and other heads of appropriate agencies, as the Secretary of Health and Human Services determines appropriate, shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives, and publicly post on an internet website, a report on the public health risks of tobacco use that includes—

(1) the public health implications of the use of tobacco products, with a focus on electronic nicotine delivery systems and other alternative tobacco products;

(2) emerging trends in tobacco use, including the use of tobacco flavors and new tobacco products;

(3) updates on the public health awareness campaign authorized by subsection (b); and

(4) recommendations for Congress.

(b) The Secretary shall conduct a public awareness campaign to educate the public about the public health implications of using electronic nicotine delivery systems (as defined in section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387)).

(c) To carry out subsection (b), for each of fiscal years 2021 through 2024, there shall be transferred to the Secretary, from the General Fund of the Treasury, the lesser of—

(1) the amount equal to the amount collected under 5701(h) of the Internal Revenue Code of 1986 during the previous fiscal year; or

(2) \$115,000,000.

SEC. \_\_\_\_\_. (a) Section 5701 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subsection (h) as subsection (i), and

(2) by inserting after subsection (g) the following new subsection:

“(h) ELECTRONIC NICOTINE DELIVERY.—

“(1) ELECTRONIC NICOTINE DELIVERY SYSTEMS.—

“(A) IN GENERAL.—On electronic nicotine delivery systems (as defined in section 900(8) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387(8))), manufactured in or imported into the United States, there shall be imposed a tax equal to \$1.01 per electronic nicotine delivery system.

“(B) EXCEPTION.—This paragraph shall not apply to any single-use electronic nicotine delivery system.

“(2) E-LIQUID.—On e-liquids (as defined in section 900(9) of such Act) or single-use electronic nicotine delivery systems, manufactured in or imported into the United States, there shall be imposed a tax equal to—

“(A) in the case of a product which contains less than 5 percent nicotine by volume, \$1.01, and

“(B) in the case of the product which contains a percentage of nicotine by volume which is equal to or greater than 5 percent, an amount equal to the sum of—

“(i) \$1.01, plus,

“(ii) for each percentage point of nicotine by volume contained in such product which

is in excess of 5 percent, 20.2 cents (and a proportionate amount at the like rate on any such percentage which is not a whole number).”.

(b) Section 5702 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (c), by striking “and roll-your-own tobacco” and inserting “roll-your-own tobacco, electronic nicotine delivery systems, and e-liquids”, and

(2) in subsection (d), by striking “or roll-your-own tobacco” each place it appears and inserting “roll-your-own tobacco, electronic nicotine delivery systems, and e-liquids”.

(c) The amendments made by this section shall apply to articles removed after the date which is 90 days after the date of enactment of this Act.

SEC. \_\_\_\_\_. (a) Any person who—

(1) on the date of the enactment of this Act, is engaged in business as a manufacturer of electronic nicotine delivery systems or e-liquids, and

(2) before the applicable date, submits an application under subchapter B of chapter 52 of the Internal Revenue Code of 1986 to engage in such business, may, notwithstanding such subchapter B, continue to engage in such business pending final action on such application. Pending such final action, all provisions of chapter 52 of such Code shall apply to such applicant in the same manner and to the same extent as if such applicant were a holder of a permit to manufacture electronic nicotine delivery systems or e-liquids under such chapter 52.

(b)(1) On electronic nicotine delivery systems or e-liquids manufactured in or imported into the United States which are removed before the applicable date and held on such date for sale by any person, there is hereby imposed a tax in an amount equal to the tax which would be imposed under section 5701 of the Internal Revenue Code of 1986 on the article if the article had been removed on such applicable date.

(2)(A) A person holding electronic nicotine delivery systems or e-liquids on the applicable date to which any tax imposed by paragraph (1) applies shall be liable for such tax.

(B) The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe by regulations.

(C) The tax imposed by paragraph (1) shall be paid on or before the date that is 120 days after the applicable date.

(3) Notwithstanding the Act of June 18, 1934 (commonly known as the Foreign Trade Zone Act, 48 Stat. 998, 19 U.S.C. 81a et seq.), or any other provision of law, any article which is located in a foreign trade zone on any tax increase date shall be subject to the tax imposed by paragraph (1) if—

(A) internal revenue taxes have been determined, or customs duties liquidated, with respect to such article before such date pursuant to a request made under the 1st proviso of section 3(a) of such Act, or

(B) such article is held on such date under the supervision of an officer of the United States Customs and Border Protection of the Department of Homeland Security pursuant to the 2d proviso of such section 3(a).

(4) Rules similar to the rules of section 5061(e)(3) of the Internal Revenue Code of 1986 shall apply for purposes of this subsection.

(5) All provisions of law, including penalties, applicable with respect to the taxes imposed by section 5701 of the Internal Revenue Code of 1986 shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply to the floor stocks taxes imposed by paragraph (1), to the same extent as if such taxes were imposed by such section 5701. The Secretary may treat any person who bore the ultimate burden of the tax imposed by paragraph (1) as the person

to whom a credit or refund under such provisions may be allowed or made.

(c) For purposes of this section—

(1) Any term used in this section which is also used in section 5701 or 5702 of the Internal Revenue Code of 1986 shall have the same meaning as such term has in such section.

(2) The term “applicable date” means the day after the date which is 90 days after the date of enactment of this Act.

(3) The term “Secretary” means the Secretary of the Treasury or the Secretary’s delegate.

**SA 1240.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 916, to improve Federal efforts with respect to the prevention of maternal mortality, and for other purposes; which was referred to the Committee on Finance; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Healthy Maternal Opportunities Matter Act of 2019” or the “Healthy MOM Act”.

#### SEC. 2. ADDITIONAL FUNDING FOR MATERNAL AND CHILD HEALTH PROJECTS.

Section 501 of the Social Security Act (42 U.S.C. 701) is amended by adding at the end the following new subsection:

“(d) In addition to the amounts appropriated under subsection (a) and retained under section 502(b)(1)(A), out of any money in the Treasury not otherwise appropriated, there is appropriated to the Secretary \$200,000,000 for the period of fiscal years 2020 through 2024, to support increased efforts to improve maternal and child health in accordance with the projects described in subparagraphs (A) through (E) of section 501(a)(3).”

#### SEC. 3. MEDICAID DEMONSTRATION PROGRAM TO INCREASE ACCESS TO MATERNAL HEALTH CARE IN UNDERSERVED AREAS.

Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following new subsection:

“(bb) DEMONSTRATION PROJECT TO INCREASE ACCESS TO MATERNAL HEALTH CARE IN UNDERSERVED AREAS.—

“(1) IN GENERAL.—In addition to the payments provided under subsection (a), the Secretary shall provide for payments to States for State activities to improve access to maternal health care and prevent maternal mortality in underserved areas (including rural areas) in the manner described in paragraph (5).

“(2) PERMISSIBLE USE OF FUNDS.—The following are examples of State activities for which funds provided under this subsection may be used:

“(A) Developing and implementing innovative reimbursement models for providers of maternal health care services.

“(B) Increasing maternal health professional recruitment efforts.

“(C) Expanding access to telemedicine for women with high-risk pregnancies.

“(3) APPLICATION; TERMS AND CONDITIONS.—“(A) IN GENERAL.—No payments shall be made to a State under this subsection unless the State applies to the Secretary for such payments in a form, manner, and time specified by the Secretary.

“(B) TERMS AND CONDITIONS.—Such payments are made under such terms and conditions consistent with this subsection as the Secretary prescribes.

“(C) ANNUAL REPORT.—Payment to a State under this subsection is conditioned on the State submitting to the Secretary an annual report on the activities supported by such

payment. Such report shall include information on—

“(i) the specific uses of such payment;

“(ii) an assessment of quality improvements and clinical outcomes resulting from such activities; and

“(iii) estimates of cost savings resulting from such activities.

“(4) DURATION.—No payment shall be made under this subsection after fiscal year 2024.

“(5) FUNDING.—

“(A) IN GENERAL.—Subject to subparagraph (B), State expenditures on activities under this subsection shall be treated as medical assistance for purposes of subsection (a).

“(B) LIMITATION ON FUNDS.—The total amount of payments made under this subsection shall not exceed \$2,500,000,000 for fiscal years 2020 through 2024. This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide for the payment of amounts provided under this subsection.”

#### SEC. 4. REGULAR FMAP APPLIED IN CASE OF CERTAIN MEDICAID EXPANSION INDIVIDUALS.

Section 1905(y) of the Social Security Act (42 U.S.C. 1396d(y)) is amended—

(1) in paragraph (1), by inserting “subject to paragraph (3),” after “Notwithstanding subsection (b),”; and

(2) by adding at the end the following new paragraph:

“(3) EXCEPTION.—With respect to amounts expended by a State described in paragraph (1) for medical assistance for items and services furnished on or after January 1, 2020, to a newly eligible individual described in subclause (VIII) of section 1902(a)(10)(A)(i) who is an inmate in a public institution and is a patient in a medical institution, paragraph (1) shall not apply with respect to such amounts expended for such items and services and the Federal medical assistance percentage for such State under subsection (b) shall apply with respect to such amounts expended for such items and services.”

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have four requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, October 29, 2019, at 9:30 a.m., in open session to consider the nominations of Ms. Lisa W. Hershman to be Chief Management Officer of the Department of Defense; Mr. Dana S. Deasy to be Chief Information Officer of the Department of Defense; and Mr. Robert J. Sander to be General Counsel of the Department of the Navy.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, October 29, 2019, at 10 a.m., in room 216 of the Hart Senate Office Building. The Com-

mittee will hold a Full Committee Hearing titled “Aviation Safety and the Future of Boeing’s 737 MAX.”

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 29, 2019 at 2:30 p.m. to hold a hearing on nominations.

##### SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 116th Congress of the U.S. Senate on Tuesday, October 29, 2019, from 4:00 p.m.-6:00 p.m., in room SH-219 in the Senate Hart Office Building to hold a closed roundtable.

#### PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Craig Radcliffe, counsel on my staff, be permitted floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. Mr. President, I ask unanimous consent for floor privileges for a member of my staff, Rob Givens.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONDEMNING THE HORRIFIC ATTACK IN DAYTON, OHIO, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL THOSE IMPACTED BY THAT TRAGEDY

Mr. CASSIDY. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 367.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 367) condemning the horrific attack in Dayton, Ohio, and expressing support and prayers for all those impacted by that tragedy.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. CASSIDY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 367) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in the RECORD of October 21, 2019, under “Submitted Resolutions.”)

#### TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE ACT OF 2019

Mr. CASSIDY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 237, S. 1678.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 1678) to express United States support for Taiwan's diplomatic alliances around the world.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019".

#### SEC. 2. DIPLOMATIC RELATIONS WITH TAIWAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Taiwan Relations Act of 1979 (Public Law 96-8) states that it is the policy of the United States "to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan".

(2) The Taiwan Relations Act of 1979 states that it is the policy of the United States "to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan".

(3) Taiwan is a free, democratic, and prosperous nation of 23,000,000 people and an important contributor to peace and stability around the world.

(4) Since the election of President Tsai Ing-wen as President of Taiwan in 2016, the Government of the People's Republic of China has intensified its efforts to pressure Taiwan.

(5) Since 2016, the Gambia, Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati have severed diplomatic relations with Taiwan in favor of diplomatic relations with China.

(6) Taiwan currently maintains full diplomatic relations with 15 nations around the world.

(7) Taiwan's unofficial relations with the United States, Australia, India, Japan, and other countries are of significant benefit in strengthening Taiwan's economy and preserving its international space.

(8) According to President Tsai Ing-wen, the severance of diplomatic ties with Taiwan in favor of diplomatic relations with China is "part of a series of diplomatic and military acts of coercion" by China.

(9) The Asia Reassurance Initiative Act of 2018 (Public Law 115-409) states that—

(A) it is United States policy "to support the close economic, political, and security relationship between Taiwan and the United States"; and

(B) the President should—

(i) "conduct regular transfers of defense articles to Taiwan that are tailored to meet the existing and likely future threats from the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces"; and

(ii) "encourage the travel of high-level United States officials to Taiwan, in accordance with the Taiwan Travel Act".

#### SEC. 3. STRENGTHENING OF OFFICIAL OR UNOFFICIAL TIES WITH TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should—

(1) support Taiwan in strengthening its official diplomatic relationships as well as unofficial

partnerships with countries in the Indo-Pacific region and around the world;

(2) consider, in certain cases as appropriate and in alignment with United States interests, increasing its economic, security, and diplomatic engagement with nations that have demonstrably strengthened, enhanced, or upgraded relations with Taiwan; and

(3) consider, in certain cases as appropriate and in alignment with United States interests, reducing its economic, security, and diplomatic engagement with nations that take serious or significant actions to undermine Taiwan.

(b) CONSULTATION.—Not less than 30 days before increasing or decreasing the United States Government's economic, security, or diplomatic engagement with another nation as a result of an action taken by that nation to either strengthen or undermine ties with Taiwan, the Secretary of State shall consult with the appropriate congressional committees with respect to the proposed United States action or actions.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to supersede or otherwise alter obligations to comply with the notification procedures applicable to reprogramming pursuant to section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

#### SEC. 4. POLICY OF THE UNITED STATES WITH REGARD TO TAIWAN'S PARTICIPATION IN INTERNATIONAL ORGANIZATIONS.

It should be the policy of the United States—

(1) to advocate, as appropriate—

(A) for Taiwan's membership in all international organizations in which statehood is not a requirement and in which the United States is also a participant; and

(B) for Taiwan to be granted observer status in other appropriate international organizations;

(2) to instruct, as appropriate, representatives of the United States Government in all organizations described in paragraph (1) to use the voice, vote, and influence of the United States to advocate for Taiwan's membership or observer status in such organizations; and

(3) for the President or the President's designees to advocate, as appropriate, for Taiwan's membership or observer status in all organizations described in paragraph (1) as part of any relevant bilateral engagements between the United States and the People's Republic of China, including leader summits and the U.S.-China Comprehensive Economic Dialogue.

#### SEC. 5. SENSE OF CONGRESS ON TRADE NEGOTIATIONS WITH TAIWAN.

It is the sense of Congress that the United States should engage in bilateral trade negotiations with Taiwan, with the goal of entering into a free trade agreement that is of mutual economic benefit and that protects United States workers and benefits United States exporters.

#### SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

Mr. CASSIDY. Madam President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1678), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### REAFFIRMING THE VITAL ROLE OF THE UNITED STATES-JAPAN ALLIANCE IN PROMOTING PEACE, STABILITY, AND PROSPERITY IN THE INDO-PACIFIC REGION AND BEYOND, AND FOR OTHER PURPOSES.

Mr. CASSIDY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 233, S. Res. 183.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 183) reaffirming the vital role of the United States-Japan alliance in promoting peace, stability, and prosperity in the Indo-Pacific region and beyond, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, without amendment and with an amendment to strike the preamble, and insert the part printed in italic, as follows:

Whereas the United States and Japan granted each other formal recognition on March 31, 1854, with the signing of the Treaty of Peace and Amity, and established full diplomatic relations in 1858;

Whereas, for the past 70 years, the alliance between the United States and Japan has played a vital role in ensuring peace, stability, and economic development in Asia and beyond;

Whereas the United States and Japan are deeply committed to the common values of freedom, democracy, rule of law, and free market economics;

Whereas the United States-Japan alliance, forged nearly six decades ago with the signing of the Treaty of Mutual Cooperation and Security, is the cornerstone for advancing a free and open Indo-Pacific region, and contributes internationally to peace and stability;

Whereas the United States and Japan are indispensable partners in combating the proliferation of weapons of mass destruction, improving global health, countering human trafficking and promoting human rights, assisting the victims of conflict and disaster worldwide, and contributing to global economic development;

Whereas the alliance is a testament to the ability of great nations to overcome the past and jointly work to create a more secure and prosperous future;

Whereas our two countries, coming from different cultural backgrounds, have created an active and dynamic relationship beneficial to both peoples; and

Whereas cultural and people-to-people ties between the United States and Japan are longstanding and deep, as exemplified by the 1912 gift from the People of Japan to the People of the United States of the beautiful cherry trees that grace our Nation's capital, signifying the unbreakable bond between the two nations: Now, therefore be it

Resolved, That the Senate—

(1) reaffirms the endorsement of longstanding United States policy to pursue close and cooperative ties with Japan in the Asia Reassurance Initiative Act of 2018 (Public Law 115-409), signed into law on December

31, 2018, and the vital role of the United States-Japan alliance in promoting peace, stability, and prosperity in the Indo-Pacific region and beyond;

(2) underscores the importance of the close people-to-people and cultural ties between our two nations;

(3) calls for the strengthening and broadening of diplomatic, economic, and security ties between the United States and Japan; and

(4) further calls for the continued cooperation between the Governments of the United States and Japan in addressing global challenges that threaten the security of people everywhere in the new Reiwa era of “beautiful harmony”.

Mr. CASSIDY. Madam President, I ask unanimous consent the resolution be agreed to, the committee-reported amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 183) was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble as amended was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 2, 2019, under “Submitted Resolutions.”)

#### REAFFIRMING THE STRONG PARTNERSHIP BETWEEN TUNISIA AND THE UNITED STATES AND SUPPORTING THE PEOPLE OF TUNISIA IN THEIR CONTINUED PURSUIT OF DEMOCRATIC REFORMS

Mr. CASSIDY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 234, S. Res. 236.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 236) reaffirming the strong partnership between Tunisia and the United States and supporting the people of Tunisia in their continued pursuit of democratic reforms.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASSIDY. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the resolution.

The resolution (S. Res. 236) was agreed to.

Mr. CASSIDY. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 5, 2019, under “Submitted Resolutions.”)

#### REMEMBERING THE 25TH ANNIVERSARY OF THE BOMBING OF THE ARGENTINE ISRAELITE MUTUAL ASSOCIATION (AMIA) JEWISH COMMUNITY CENTER IN BUENOS AIRES, ARGENTINA, AND RECOMMITTING TO EFFORTS TO UPHOLD JUSTICE FOR THE 85 VICTIMS OF THE ATTACKS

Mr. CASSIDY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 235, S. Res. 277.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 277) remembering the 25th Anniversary of the bombing of the Argentine Israelite Mutual Association (AMIA) Jewish Community Center in Buenos Aires, Argentina, and recommitting to efforts to uphold justice for the 85 victims of the attacks.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASSIDY. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 277) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 17, 2019, under “Submitted Resolutions.”)

#### MEASURE READ THE FIRST TIME—H.R. 4334

Mr. CASSIDY. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The bill clerk read as follows:

A bill (H.R. 4334) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2020 through 2024, and for other purposes.

Mr. CASSIDY. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive the second reading on the next legislative day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### HEALTHCARE

Mr. CASEY. Madam President, I rise tonight to talk about healthcare, which is an issue that obviously com-

mands a lot of attention, but lately, frankly, not enough attention here in the Senate. I will focus, in particular, on one report that we are issuing today that will talk about one aspect of some of the problems we are having in our healthcare system right now that a lot of Americans might not be aware of. They probably will be more aware when they hear more about the report that I have.

I think we should start from the basic premise that we have made tremendous progress in the last number of years in access to healthcare, in healthcare coverage. We know, for example, that between the years 2010, the year that the Patient Protection and Affordable Care Act was passed, and the end of 2016—so, basically, just a matter of 6 years—something on the order of 20-plus million Americans gained health insurance coverage. We went from roughly the number of uninsured in the country being a little more than 47 million in 2010 to a little more than 27 million in 2016.

Over the course of just 6 to 7 years, 20 million fewer people were uninsured. That is a great measure of progress on an issue where most people said there was no way you could get 20 million more people insured. Very few Americans thought that was possible until it actually happened.

Unfortunately, that progress—the progress being the diminution or the reduction of the uninsured population—is, unfortunately, not just flattening out, but it is actually getting worse. The number of uninsured Americans is actually going up now. That is a giant step backward in a country that not only reduced the uninsured number by 20-plus million but provided, in the same bill, the Patient Protection and Affordable Care Act.

The patient protection part of that ushered in all kinds of reforms for those with insurance—those who had insurance before 2010 and those who were paying their premiums but had their lives and their coverage in the hands of insurance companies that had power over their lives, to the extent that an individual with a preexisting condition would not be treated and would not be covered because of that preexisting condition. The Patient Protection and Affordable Care Act changed that for tens and tens and tens of millions of Americans, in addition to the coverage gains that I just mentioned.

Just for a point of reference, I will mention the recent numbers. The Census Bureau, back in just September of this year, said—and I am quoting from a report from Kaiser Health News, by Mr. Phil Galewitz, who is talking about the census report. He said the following:

For the first time in a decade, the numbers of Americans without health insurance has risen—by about 2 million people in 2018—according to the annual U.S. Census Bureau report released Tuesday.

This “Tuesday” means a day in September.

The Census found that 8.5 percent of the U.S. population went without medical insurance for all of 2018, up from 7.9 percent in 2017.

What he was referring to is that the Census Bureau had said that the number of uninsured went up by 1.9 million people. That didn't happen just by accident. It happened because of some of the steps taken by the administration and by those that support the administration.

We have to be focused on reversing that decline, getting the number of uninsured down, getting more Americans covered, and making sure that more Americans have basic protections.

What is particularly egregious and disturbing about this trend is that those suffering the most tend to be children. For example, in another analysis by Georgetown University, it says that "4.3 million kids were uninsured in 2018—a statistically significant increase of 425,000."

What Georgetown was telling us in that analysis is that that diminution of those who were insured or who have insurance is rising by more than 400,000 among children. So the United States of America made great strides in the mid-1960s, when the Medicaid Program was enacted into law, which helped to reduce the number of children who were uninsured and helped to reduce the number of children who did not have access to quality healthcare and ushered in a brand-new healthcare program for children and people with disabilities and seniors needing long-term care. That is the Medicaid Program. You could call it the "Kids, Seniors, and Disability Program for Healthcare." The same country, the United States of America, then made greater progress decades later when the Children's Health Insurance Program came into effect. It was voted on here in the 1990s with bipartisan support, sustained over time by bipartisan support, and sustained in many States by Republican and Democratic Governors. But despite the Medicaid Program and the advances for children, despite the Children's Health Insurance Program and the advances for children, and despite the advances brought about by the Patient Protection and Affordable Care Act and the advances for children in that, now we are seeing a reversal.

Are we going to be satisfied? Are we going to say that we are the country that we want to be and that we claim to be if now we are moving backward on children's health insurance, and 425,000 fewer children have healthcare in 2018, and that that is what we are going to settle for in the United States of America?

That is an abomination. That is a stain on our country. Anyone who is not in the business of reversing that and getting that number up—covering more children and making sure that children have healthcare coverage—shouldn't be involved in any government and shouldn't run for public office if that is what your attitude is. Ei-

ther you don't care about that or you think that is actually a measure of progress.

We have some work to do in the U.S. Senate and the U.S. House of Representatives and in the administration to make sure that when they measure this again later in 2019 or in 2020, that number is coming down, that we are reducing the uninsured, and that we are reducing the number of children who are uninsured.

It is going to be difficult to do that and to make progress on that when you consider what the administration, supported by Republicans in the House and the Senate, have done lately. They have done three things that are setting us backward.

One is supporting a lawsuit in the Fifth Circuit Court of Appeals, which will destroy the Affordable Care Act. It will destroy it. We should be arguing against that lawsuit. It is highly likely, or at least likely, I will say—I don't want to be that pessimistic—that that lawsuit will prevail and the Affordable Care Act will be wiped away and declared unconstitutional by the circuit court or maybe by the Supreme Court down the road if the Supreme Court were to take that case up on appeal.

That is not good for America for lots of reasons. All those Americans—more than 130 million—who have a pre-existing condition will be out of luck if that lawsuit prevails. The protections for preexisting conditions will be taken away after having been granted for the first time, basically, a decade ago, to tens and tens of millions of Americans. A lot of other adverse consequences come from that lawsuit succeeding, so every Member of the Senate should be against that lawsuit.

Now, some say: Well, we have a better idea. Well, come forward with your better idea and figure out a way, if you can, to provide coverage for 20 million people, to provide protections for those who have a preexisting condition—provide the same protections in a different way, if you can, but don't say to the country that we are supporting a lawsuit that will take all those protections away when you don't have anything to replace it with, you have nothing that has been enacted into law or nothing that has been proposed that will be commensurate with the coverage gains and protections of the Patient Protection and Affordable Care Act. We can be weeks away from that lawsuit succeeding. That is problem No. 1—threat No. 1, I call it.

Threat No. 2 are the proposed cuts to Medicare and Medicaid. The administration proposed cutting the Medicaid program that I just referred to a couple of minutes ago, the children's disability and long-term nursing home care program—that is what Medicaid does, helps people get into nursing homes. It helps a lot of middle-class families afford long-term nursing care. It helps about 40 percent of American children with healthcare and helps a lot of children, especially children with

disabilities, have the therapies, treatments, and the protections they need because they have a disability or sometimes more than one disability. That is the Medicaid program.

What does the administration want to do? They want to cut it by \$1.5 trillion. No one here should support that kind of a cut, but not only do some people here support it by their silence, by their assent, many here are champions of that, strongly advocating for that kind of a cut, so we have to fight against that, too—the cuts to Medicare and Medicaid.

Then there is threat No. 3—No. 1 being the threat of the lawsuit, No. 2 being the threat of the cuts to Medicare and Medicaid—the third threat is the sabotage that has been undertaken from day one of the administration. On the Republican side, I would hope that someone would speak up against this. I haven't heard much. I have been listening. I haven't heard much about those who might claim to not be in favor of sabotage.

Here is one example of sabotage in the report I referred to earlier. We just issued this report today: "HEALTH CARE SABOTAGE ONLINE: A WARNING TO CONSUMERS." Here is what we did: We started calling all over Pennsylvania and doing research on what was advertised for these short-term duration healthcare plans known in the vernacular here in Washington by the phrase "junk plans." Why do we say they are junk? Well, we say that because these plans were only allowed to be in place for 3 months, but the administration changed that rule. Now, these plans are available. You can purchase a plan like this for 1 year, and then you can renew it for up to 3 years. What happens? Well, often, people are deceived into signing up for plans that don't have the protections that they thought they would have. They don't have the protections that I think most Americans have come to expect.

Here is the first finding in the report: "When searching online for health insurance plans, it is difficult to differentiate between paid advertisements and search results."

Now, we just had an example today of a man in Pennsylvania who told us that, when he went online and did some investigation and then was talking to someone on the phone who was selling him insurance, they said: "It's got all the protections of the Affordable Care Act." But, of course, it didn't, and he was deceived.

There are a lot of stories of people being deceived by false advertising and by misleading advertising. Even if going to a page after having done a search and on that page it might say "healthcare.gov," which is the right place to go if you want to enroll, but sometimes, healthcare.gov has nothing to do with it. It is advertised as what healthcare.gov offers, but it doesn't offer that. It offers a junk plan, and people are in real trouble when they sign up for the wrong plan.

So the first thing folks should do is make sure that they carefully examine these paid advertisements so they don't get into a plan that is going to prevent them from getting the coverage they need.

The second finding that we concluded is: "Paid advertisements for health insurance are often misleading and fail to fully disclose very important information."

The third and final finding is the following: "Advertisements often use 'HealthCare.Gov' in the website title and descriptions despite having no affiliation with HealthCare.Gov."

So people see that on the top of the page, and it is not designated in the correct way so that you can actually get to the correct site. You are sent to some other site, and before you know it, you are clicking on to plans that don't give you the coverage you think you are getting.

So there is a lot of misinformation. There is a lot of scam artistry or a lot of other ways to describe it because they have more time to do it. They used to only have a 3-month time period. It wasn't really a good business model to try to mislead people into your junk plan if you only have 3 months. Now, they have 1 year or they may have more than 1 year if the individual were to reenroll for a total of 3 years. So instead of having 3 months for this short-term insurance, which was never meant to be permanent, which was only meant to be an interim policy, now these scam artists, these purveyors of fraud in many instances, have a lot more time to rip you off and get you on to a plan that doesn't provide the kind of protection that you and your family need.

So what are we going to do about it? We should do a couple of things. We, first and foremost, should remind people that this is the time, starting this Friday, November 1, for open enrollment. Folks will have 6 weeks in that open enrollment period. That is good, and we should make sure people are aware when that open enrollment starts; but while they are searching and making this very consequential decision for themselves or their family, they should be warned about and be educated about what can happen to them if they are on a site that will not provide the care and the coverage that they need.

There is an old expression: "Forewarned is forearmed." We want to forewarn people so they are ready and they will be vigilant.

Here are a couple of things that we can do. We provide a couple of tips to avoid enrolling in one of these junk plans. No. 1: "To get help picking the health insurance coverage that fits your needs, visit HealthCare.Gov."

In fact, when you type in to do a search, you should type [www.HealthCare.Gov](http://www.HealthCare.Gov). That is the best way to get to the right site. So just make sure you are on HealthCare.Gov and not something that looks like

HealthCare.Gov. Some will go on a site, and some people don't realize they are not on HealthCare.Gov. They are on [healthcare.org](http://healthcare.org). That is an old way of referring to the site. HealthCare.Gov is the correct one. That is tip No. 1. Be careful of that.

No. 2: "Be aware of how the search engine designates advertisements." Be aware that something that looks official is just an advertisement. Be careful about that.

No. 3: "Always look at the website address, typically displayed in green font, before clicking on a link." So be careful about the website address.

No. 4: "Pay attention to the words used in the website title and description." Title and description. For example, the difference between HealthCare.Gov and [healthcare.org](http://healthcare.org).

So folks can take a look at these tips and be ready to enroll through HealthCare.Gov in a way that will give them the coverage they want when they are making that basic choice.

This is what sabotage looks like. When you change a rule from one administration to the other, instead of having a 3-month rule giving these interim plans a chance to operate in a shorter timeframe and you enlarge that to a year, you are sabotaging the system when you do that. You are not providing people a chance for better healthcare, you are making it much more likely that folks will be deceived because those who are trying to make money here saw this opportunity. As soon as they saw that 3 months going to 1 year, they saw a golden opportunity to make money and rip people off, and it is working. A lot of people are becoming victims of it. So that is sabotage.

The other sabotage is limiting the enrollment period. I just mentioned that open enrollment period starts on Friday, but it is 6 weeks. It used to be longer than 6 weeks. So you are limiting the time within which someone can avail themselves to get healthcare, the opportunity to change a plan or do anything like that.

Another way that sabotage has played out is a limitation on the advertising. Guess what, if you limit the advertising by cutting the advertising budget—at one point, it was cut by 90 percent—guess what, fewer people know about their opportunities to enroll by way of HealthCare.Gov or to have the opportunity not just for coverage but often to have a subsidy that will help you pay for the coverage. So that is another way that the administration is engaged in sabotage, and it is working because, as I mentioned, 1.9 million Americans or fewer Americans are insured today than 2 years ago, so it is working, unfortunately.

I mention the coverage loss that is hitting children. There is a New York Times story dated October 22, just last week. The headline is: "Medicaid Covers a Million Fewer Children. Baby Elijah was one of them."

The subheadline says "Officials point to rising unemployment, but the unin-

sured rate is climbing as families run afoul of new paperwork and as fear rises among immigrants."

So a series of steps taken by the administration has caused the number of children who are uninsured to go up. That is and should be unacceptable to any American.

Finally, I want to conclude with one thought about preexisting conditions. When we vote this week, we will have an opportunity to push back against some of the sabotage, to make it less likely that people will be misled, to make it less likely that people will be enrolled in some junk insurance plan. One of the adverse consequences of being in the wrong plan, getting the wrong information, and being misled, being deceived, is a lack of coverage for a preexisting condition. So if you have asthma or diabetes or arthritis or high blood pressure under the old rules, under the old law, you could be discriminated against because you had a preexisting condition. So an insurance company can legally discriminate against you.

The law changed in 2010, fortunately, so that discrimination was pushed back against, and we finally had a circumstance for families who didn't have to worry about preexisting conditions—or at least didn't have to worry about coverage for treatment for a preexisting condition.

Lo and behold, you find examples in your home States. A couple of months ago, I was with one of my constituents, Rev. Shirley Cornell. She told me about how the Affordable Care Act had completely changed her husband's life. She told me that her husband's \$8,000 deductible dropped by about one-third after enrolling in insurance under the Affordable Care Act. She said: "We were one experience away from chaos and possibly bankruptcy." Because of the protections in place for a preexisting condition, Reverend Cornell doesn't have to worry about that. She may have to worry about a lot of other things, but that is one thing she doesn't have to worry about.

Unfortunately, if this sabotage keeps marching forward, she may have to worry. A worry that was lifted from so many families just less than a decade ago now may burden them once again. There is no reason why we have to go back to those days when an insurance company could deny a child coverage because that child had a preexisting condition or could deny an adult treatment or coverage because they had a preexisting condition. There is no reason why we have to go back to those days; yet some around here seem to want to go back to those days.

The best way to make sure that we don't is to fight against what the administration has been doing, to fight against the lawsuit, to fight against the sabotage, and to fight against the budget cuts. I know some don't want to do that. They seem to want to continue to support what the administration is doing.



I hope that folks will take advantage of this opportunity in the next 6 weeks, starting on Friday, November 1, and use the open enrollment period and examine these issues with an eye towards not being deceived, not being brought down a road where you won't get the coverage you need. Maybe we can have

some success in putting the junk plan artists out of business so that they can't deceive people into getting insurance that they expect would provide them more coverage.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:41 p.m., adjourned until Wednesday, October 30, 2019, at 10 a.m.